

**Malarky's Irish Pub, 3011 Newport Boulevard  
PA2010-172**

List of Total Correspondence Received as of 5:00 p.m. on March 3, 2011

In Favor of Project	
1	Richard Luehers
2	Dena Baron
3	Greg Mayes
4	Perry Anthony
5	Frank Kosi
6	Bruce Shoenberger
7	Brent Randek
8	Andrew Gabriel
9	Nathan Holthouser
10	Gregory Ozimec
11	Brin Hamblin
12	Daniel Blackwell
13	Shane McConnell
14	Mark Bridge
15	Scott Hook
16	Frank Fasel
17	George Leeper
18	Ted Mortenson
19	Tom Tobbin
20	Colin Weeks
21	Bill Guidero
22	Steven C. Nicholson
23	Oliver Fleener
24	Caren Lacona
25	Jill Hunt
26	
27	
28	
29	
30	

Opposed to Project	
1	Frankk J. Bruder
2	Justine Hurry
3	Rick & Shelly Clewett
4	Larry Mathena
5	Kevin Finn
6	Joe Stack
7	Paula and Roger Hocken
8	Marcus & Kristen Wilson
9	Irwin Goldring
10	Tom O'Loughlin
11	Pat Klingensmith
12	Leonard Applebaum
13	Mike Deschenes
14	Rick Cunningham
15	Carol Martin
16	Tony & Marie Pierotti
17	Robert Klar
18	Mary and Jim Drennan
19	Dean & Ann Roberts
20	Sarah B. Z. Calvert
21	Neal Shehab
22	Linda Formuzis
23	Stacy Nielsen Turek
24	Katie Stuermer
25	Louise Fundenberg
26	Pamela Garrett
27	Drew Wetherholt
28	Irena and Richard Glassman
29	Terry Martin
30	Cindy Koller
31	Lori Morris
32	Sonja Burns

Correspondence  
Item No. 5a  
Malarky's Irish Pub  
PA2010-172

# Additional Correspondence Received In Support

## **Murillo, Jaime**

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**From:** Jill Hunt [jillbhunt@sbcglobal.net]  
**Sent:** Thursday, March 03, 2011 3:06 PM  
**To:** Murillo, Jaime  
**Subject:** Malarkeys

I live in West Newport and think all efforts, including expansion, is badly needed in the area. Malarkeys is a great bar and will do a good job and Crow Bar is a much needed cool restaurant in the area.

Please allow the expansion and development to move forward.

Thanks

Jill Hunt  
251 Prospect St

Sent from my iPhone

***Caren Lancona  
1900 W. Oceanfront  
Newport Beach, CA 92663***

March 1, 2011

Mr. Earl McDaniel  
Chairman  
Planning Commission  
City of Newport Beach  
3300 Newport Boulevard  
City of Newport Beach, California 92663

RE: Support for Malarkys Project

Dear Mr. McDaniel:

As a peninsula resident and Newport Beach businesswoman I am writing to express my support for the Malarkys expansion.

My business, B Scene Advertising, does advertising, event planning, public relations and other related services. We run charity and promotional events for entities such as The Real Housewives of Orange County and the Miss Newport Beach Pageant. I have trouble finding quality venues large enough to accommodate the 12 pre-events and main event. We also like to use different facilities so as to have variety and not the same place every time.

After the remodel, Malarkys would be a perfect location for us to hold an event.

Driving down Newport Boulevard I have seen the new landscaped parking lot and improved exterior of the building which is definitely an improvement to the peninsula. I believe the addition of the outdoor dining patio and indoor remodel/expansion will raise the level of clientele of Malarkys. This is good for everyone. All ships rise with an incoming tide.

I do think the outdoor patio should be allowed to stay open till at least 11:00 p.m. In the summer time especially I enjoy a late dinner with friends after work or on the weekend.

Please vote to approve the Malarkys project. Thank you.



Caren Lancona



## Murillo, Jaime

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**From:** Mario Marovic [mario@loungegroup.com]  
**Sent:** Thursday, March 03, 2011 12:30 PM  
**To:** Murillo, Jaime  
**Subject:** FW: Malarkys Argument

Jaime:

Below is an email from Oliver Fleener for your review.

----- Forwarded Message -----

**From:** "Fleener, Oliver" <Oliver.Fleener@Grubb-Ellis.com>  
**To:** brenttranek@yahoo.com  
**Sent:** Thu, March 3, 2011 11:04:31 AM  
**Subject:** Malarkys Argument

Brent-

Due to my family having that bad flu going around I might not be able to make it to planning commission.

If I can't make it... read this on my behalf or take snippets out.

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My name Oliver Fleener I'm a resident here Newport Beach. I've been a resident here for my entire life. I was a lifeguard here for 10 years; my dad recently retired from the building department here at the City; I am married with three kids, and candidly I enjoy nothing more than living here in this great City. My family participates in all the local activities, sports associations, Jr Lifeguard programs etc. My wife runs a small retail shop just down on PCH. My business is also in Newport Beach as commercial real estate broker with Grubb & Ellis for almost 15 years now. I specialize in office, retail, sales and leasing as well as redevelopment. Needless to say I am very familiar with the City and have a STRONG vested interest in what happens here – not only for business but for the general and personal reasons too. As a result, I wanted to address Malarky's proposed reconfiguration on all three (3) fronts – Business – General - Personal.

From a business perspective – Malarky's should be allowed their request simply to help local businesses. Here are some simple statistics to consider: First and foremost as we all know the commercial real estate market has struggled greatly in the last few years. Vacancy rates have doubled to near 20% and rents have declined a 1/3 to almost in half. As a result property values have fell dramatically – when property values fall, owners and businesses do not put additional capital into them. This cycle is contagious and repetitive. By way of review I was the listing broker for the Lido Village just across the way and that was a VERY difficult site to work on. There were/are no tenants, the rents are so low they can't be justify with lenders do deal at and candidly this area and the product is just plain tired and run down. This is a theme/aura that seems to stretch to neighboring buildings here on the peninsula – heck why is the City Hall moving out of here? If one building / tenant can't get business done... why would another chose to move here? It is a domino effect. Thus the City needs to support all businesses the best they can to stop a spreading anemic environment. THEY CITY NEEDS TO ADDRESS THIS. In addition, the City needs a PR boost in how it works with its local businesses.

Just by way of review, I list anywhere from 500,000 to 1,000,000 SF of product, and represent over a 100 tenants moving into and out of Newport Beach at any given time. *The general consensus amongst my clientele is "NEWPORT BEACH is difficult to do business with."* It is well known in the business community that this is a NIMBY (Not In My Back Yard) controlled city. Most businesses would rather not put up the fight to

deal with growth, changes etc. The reason I believe this to be true is because most businesses are too small to deal with an emotionally charged opposition. Did you know that the average tenant size in Newport Beach is 3-4 employees and occupies only 800-1600 SF. This is tenant size makes up approximately 85% of the tenant mix here in Newport Beach. Now consider Malarky's which is a 5,000 sq ft building and only has 1,150 feet of customer space; which puts this business statistically in the top 15% of the tenant sizes here. Now why would the City not want to assist them? More importantly as I noted prior, the City needs to present a better / more business friendly environment to tenants – ESPECIALLY ONES THAT ARE TRYING TO GROW – when the rest of the market is struggling. The City needs to fix this image of a desolate business environment – especially here on the peninsula.

Speaking of a desolate environment – that leads to my 2<sup>nd</sup> concern from a general observation as a resident of Newport Beach. I am concerned with what is going to happen in this greater peninsula area once the City Hall moves. I think it is great, and it makes sense that the City is moving up to Avocado / Newport Center – but I personally fear that once the City has left, this area will be abandoned as the proverbial “other side of the tracks” – kind of out of sight, out of mind. My reasoning for this is again... Lido Village. I know there was a meeting about a month ago reviewing concepts for a redevelopment – but again nothing has happened for nearly 15 years – maybe not to the City's fault – but again, this whole area is tired and nothing “appears” to be happening. This is world class real estate, in one of the richest places on the planet, that is essentially dead on the vine! As for Malarky's, here is something that the City can make happen! The City did a great job in putting in the “façade entry ways just over the bridge” and cleaned up the parking lots in the area... now the neighboring businesses need a chance to upgrade and compliment what the City has done! In fact I wish there were 20 more businesses in the area that would line up out the door right now and do what Malarky's is proposing to do. This area is SO OVERDUE for a “face lift” not just on the outside but also in the business environment. There needs to be a desire for the City's residents to come and shop here – and not just the transient visitors. I want to support local businesses – but I also want - to want to go there. Help these businesses improve themselves.

That leads to my final point which is a personal one. As I mentioned prior, I have lived here my whole life. This peninsula has not changed much at all over my lifetime. Some of these businesses and buildings are the same as long as I can remember – which is nice and nostalgic for most NIMBY's – but some of these places are just rotting into the ground. I personally would like to see this place cleaned up and yet keep that feel of what the peninsula is. When I saw that Malarky's finally turned that old, dirt and weed invest, lot next door to it into a usable – very nice looking – parking lot... I mean WOW. That only took 20 years to do? And Malarky's finally painted the building - That took 20 years? And yet there are still NIMBY's saying – “No change!”? What are they thinking? I have to assume they knew what and where they purchasing? For them to complain is like a home buyer purchasing a house under an airport and then complaining about the planes? What? The ironic thing is... Marlarky's is not changing... it is getting better / cleaner / more presentable. Marlaky's is not proposing to change a church into a liquor store, or a daycare into an adult lounge. They are cleaning up the building and making it more functional – the use is the same. The City should support Malarky's... not only for common sense purposes, but the purposes stated above – help local businesses, improve the City image, demonstrate that it is not abandoning this area as the other side of the tracks, and for goodness sake - help these businesses help themselves.

## **Murillo, Jaime**

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**From:** Steve Nicholson [bchnick@pacbell.net]  
**Sent:** Thursday, March 03, 2011 11:10 AM  
**To:** Murillo, Jaime  
**Subject:** Regarding Malarkys improvements

Dear Jaime Murillo,

I am a twenty-three year homeowner at 212 30th Street, right behind the new Landing Shopping Center. My wife and I do not have any issues with Malarky's and their improvements. They have a responsible staff. Mario has made vast improvements to the exterior of Malarky's and the corner of 30th Street and Newport Boulevard. Wow!

We would like to see him continue on with the interior renovations and improvements. I believe a majority of our neighbor's which I keep in contact with are in favor of the improvements and clean up.

We wish Mario much success with his business endeavors. Thank you for your time. I can be contacted at the cell phone below for more information about the neighborhood if needed.

Best regards,

Steven C. Nicholson  
(949) 233-4416

## Murillo, Jaime

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**From:** Bill [guiderodesign@att.net]  
**Sent:** Thursday, March 03, 2011 7:23 AM  
**To:** Murillo, Jaime  
**Subject:** Malarkeys Restaurant

Planning Commission

Re: expansion of existing restaurant

I'm a local resident in Newport Beach for 40 years.  
All of the 40 years on the peninsula. I also have my own  
architectural design business on 30th Street for approximately 20 years.

Malarkey,s has always been a upstanding establishment in our community.  
I either ride my bike or drive by Malarkey's every morning on my way to work.  
The grounds surrounding the restaurant is always in pristine condition.  
I've enjoyed the food and sporting events since they have opened in the 70's.  
I'm in total support for the expansion of the restaurant.

Thank you Bill Guidero

William Guidero planning and design  
425. 30th Street suite#23  
Newport Beach, California 92663  
[guiderodesign@att.net](mailto:guiderodesign@att.net) (949) 675-2626

Sent from my iPad

## **Murillo, Jaime**

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**From:** colinweeks@hotmail.com  
**Sent:** Wednesday, March 02, 2011 9:53 PM  
**To:** Murillo, Jaime  
**Cc:** Nikol Weeks  
**Subject:** Malarkys patio issue

Mr. Murillo:

My name is Colin Weeks, and I have lived at 214 30th Street for the past 5.5 years. I live 2 houses over from the Albertsons (Pavillion) and Malarkys parking lot, and directly across the street from Mr. Drew Wetherhold.

In the past 5.5 years, I have never had an issue with Malarkys, its staff or its patrons. I am writing this letter to make sure that the City of Newport Beach knows that Mr. Wetherhold's letter opposing the outdoor patio initiative DOES NOT represent neither my view nor that of my wife. In fact, I believe that Mr. Wetherhold's letter solely represents his own personal agenda. I sincerely believe that Mr. Wetherhold's opinions are not shared by the majority of his neighbors, and I encourage you to speak with all of them.

Mr. Wetherhold decided to built a house on a lot attached to a retail parking lot, and since that time he has tried to force Albertsons, and now, Malarkys to cater to his own personal agenda and make they cave into his demands.

Not only has Malarkys been a great neighbor and Newport Beach institution, but its recent cosmetic additions to the facade and new parking lot have made the 30th Street neighborhood even nicer. I think it is sad that people waste taxpayer time and money to manipulate the system to meet personal agenda.

I am happy to discuss this matter in any level of detail, in any venue - public or private.

Sincerely,

Colin S. Weeks  
(949) 500-3512

1529 Miramar Drive  
Balboa, CA 92661

March 2, 2011

Mr. Earl McDaniel  
Chairman  
Planning Commission  
City of Newport Beach  
3300 Newport Boulevard  
City of Newport Beach, California 92663

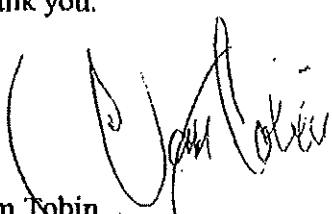
RE: Support for Malarkys Project

Dear Mr. McDaniel:

Last night my wife and I had a great prime rib dinner at Malarkys at their Tuesday night "prime rib" special. For many years I have been a loyal customer of Malarkys. The new owner, Mario Marovic , is making the premises and food even better.

Mario has also done a great job cleaning up the parking lot and building.  
I support his modest request for additional dining room space and an outdoor patio.  
When he attracts a higher clientele, I just hope he doesn't raise the prices to much.

Thank you.



Tom Tobin  
Former Commissioner, Parks, Beaches and Recreation Commission  
Peninsula resident

## Murillo, Jaime

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**From:** Mario Marovic [mario@loungegroup.com]  
**Sent:** Sunday, February 27, 2011 5:08 PM  
**To:** Murillo, Jaime  
**Subject:** FW: Malarky's

Dear Jaime:

Below is an email from I believe to be the closest homeowner and resident facing Malarky's. They indicated full support of our project!

Sincerely,  
Mario Marovic

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**From:** George Leeper [mailto:gcleeper@gmail.com]  
**Sent:** Sunday, February 27, 2011 4:33 PM  
**To:** Mario Marovic  
**Subject:** Malarky's

Mario,

Judy and I have no objections to Marlarky's remodel and expansion.  
We live at 419 30th St and can see the place from our bedroom.  
We are happy with your management and will support you any way we can.

If I can be of any further help, please feel free to call.

George Leeper  
419 30th St  
Newport Beach, Ca

949 723 5333

## Murillo, Jaime

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**From:** Ted Mortenson [ted.mortenson@sbcglobal.net]  
**Sent:** Sunday, February 27, 2011 2:52 PM  
**To:** emcdaniel@sunwestbank.com; Murillo, Jaime  
**Cc:** 'Louise Fundenberg'; dwetherholt@marcusmillichap.com  
**Subject:** My Feedback regarding fellow resident Wetherholt and the FW: STOP MALARKY'S BAR EXPANSION-THIS DOES IMPACT YOU

FYI –

Following is a copy of my reply to Louise Fundenberg's e-mail regarding Mr. Wetheral's issues surrounding about his problem with intoxicated people in Newport Beach..... and Malarky's interest in expanding its business. Mr. Wetherholt seems to be one of those people who want to control the rights of others including restricting business owners even more than unfortunately they already are.

Thank you,

Ted Mortenson

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**From:** Ted Mortenson [mailto:ted.mortenson@sbcglobal.net]  
**Sent:** Sunday, February 27, 2011 2:36 PM  
**To:** 'Louise Fundenberg'  
**Subject:** RE: STOP MALARKY'S BAR EXPANSION-THIS DOES IMPACT YOU

Dear Mr. Wetherholt,

Yes, this does impact me even though I have only set foot in Malarky's once in the last 30 years. In fact it pisses me off. Pardon my frankness, but who should care what you think regarding your desired size of Malarky's building? Every American business owner still has a right to improve or otherwise make larger his property if he so chooses (existing building codes notwithstanding). They don't have to please you!

If you have a problem with drunk people, you need to address that directly and honestly instead of masking your intentions. You should know, there are tried and true legal avenues currently enforceable on the owners of restaurants or bars regarding intoxicated customers. Your concern seems to be Malarky's bartenders continue to serve alcohol to drunk patrons & customers... or otherwise attract drunk patrons - right?

Well, regardless of your true intention(s), you have no moral or legal right to limit the size of Malarky's physical building other than what is designated by current CA and NB codes. I wish people like you would deal more appropriately, more honestly and according to existing law with your individual concerns regarding others. Or, go ahead and try to change the law so that you and your 'friends' can decide how big Malarky's building should be, or even exist at all. That would solve your "additional 100+ intoxicated individuals" concern wouldn't it?

And thank you for pointing this out though so that I can let my opinion support current recommendations for approval.

Respectfully,

Ted Mortenson

**From:** Louise Fundenberg [mailto:pier2pier@yahoo.com]  
**Sent:** Sunday, February 27, 2011 11:22 AM



To: pier2pier@yahoo.com

Subject: Fw: STOP MALARKY'S BAR EXPANSION-THIS DOES IMPACT YOU

FYI Louise Fundenberg

----- Forwarded Message -----

From: "Wetherholt, Drew" <Drew.Wetherholt@marcusmillichap.com>

To: dwetherholt@marcusmillichap.com

Sent: Sat, February 26, 2011 4:15:14 PM

Subject: STOP MALARKY'S BAR EXPANSION-THIS DOES IMPACT YOU

We really need the community's support. Believe it or not, the planning department is ACTUALLY recommending APPROVAL which would basically DOUBLE the size of Malarkys bar and put an additional 100+ intoxicated individuals roaming our neighborhoods. Planning Dept is basically putting in ANOTHER FULL-SCALE BAR in an area that is already over-concentrated with ABC establishments and has an excessive amount of alcohol related problems.

PLEASE REVIEW THE ATTACHED DOCUMENT AND TAKE JUST A MOMENT TO **SEND AN EMAIL TO THE CITY SAYING THAT WE DO NOT SUPPORT THIS APPLICATION.** WE DO NOT WISH TO SEE MALARKY'S BAR EXPAND AS THIS WILL ONLY HAVE A NEGATIVE IMPACT TO OUR COMMUNITY. REQUEST THAT THE PLANNING COMMISSION FULLY DENY IT.

WE WOULD ALSO ENCOURAGE TO **COME TO THE PLANNING COMMISSION MEETING THIS THURSDAY, MARCH 3<sup>RD</sup> AT 6:30PM AT THE CITY HALL.** YOU'RE WELCOME TO VOICE YOUR CONCERNS- JUST HAVING THE COMMUNITY WELL-REPRESENTED IS VERY IMPORTANT! THIS IMPACTS EVERYBODY ON THE PENINSULA AND ON LIDO .

Should you have any questions, please do not hesitate to contact me. Please forward to other concerned residents and let's make the Peninsula a better place. Thank you for your support!

**Drew Wetherholt- Resident**

949-466-6088

TO: Planning Commission  
FROM: Bret Rosol  
RE: Malarkys  
DATE: 3 March 2011

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I live here in Newport Beach and have since graduation from college. I graduated with a Finance degree from the University of Denver in 2005. I work as a principle of a regional land brokerage firm. Most my clients have a net value in the tens of millions, if not 100 million dollars.

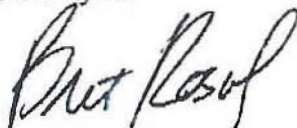
I like Malarkys and go there to eat dinner, have a drink and relax.

I've read in the Daily Pilot complaints of a certain neighbor. When leaving Malarkys I do not puke, fight, jaywalk, break into homes or leave unmentionable things behind.

The expansion and remodel of Malarkys will only make it a much nicer facility and attract a higher end customer. Malarkys is really no different as a bar then Cannery except Cannery has nicer bathrooms.

Please approve Malarkys CUP.

Thank you.



Bret Rosol  
1565 Haven Place  
Newport Beach, CA 92663

RECEIVED BY  
PLANNING DEPARTMENT

MAR 03 2011

CITY OF NEWPORT BEACH

Correspondence  
Item No. 5b  
Malarky's Irish Pub  
PA2010-172

# Additional Correspondence Received In Opposition

## **Murillo, Jaime**

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**From:** Lori Morris [lorimorris@gmail.com]  
**Sent:** Thursday, March 03, 2011 3:29 PM  
**To:** Earl McDaniel; Susan/Barry Eaton; Michael Toerge; ameri@rbf.com; Robert Hawkins; cwunsworth@cox.net; bhillgren@highrhodes.com  
**Cc:** Kiff, Dave; Rosansky, Steven; Selich, Edward; Mike Henn; Hill, Rush; Gardner, Nancy; Curry, Keith; Daigle, Leslie; Brown, Leilani; Murillo, Jaime  
**Subject:** Malarky's Bar Expansion Application

March 3, 2011

Please enter into the public record

City of Newport Beach  
3300 Newport Boulevard  
Newport Beach, California 92663

Attention: Planning Commission  
City Clerk  
City Council  
Jaime Murillo

Reference: Malarky's Application up 2010-039

Planning Commission, City Council and Staff:

I would like to echo Cindy Koller's request to deny the Malarky's Bar expansion application.

As a resident of the Peninsula I am appalled that the staff report submitted does not go into greater detail regarding the impacts to residents this expansion would most certainly impose.

The Peninsula zone has a far greater burden than any where else in the City of Newport Beach in regard to alcohol establishments.

As we have been involved with the (hopefully) better use of the old City Hall site...it would seem at this point the city staff would look at the entire impact of adding even more space for drinking alcohol in such close proximity to the future use of that site.

Residents of the Peninsula should not continue to bear the burden of even ONE MORE bar or expansion and we would expect our city leaders to be looking for ways to mitigate the problems we have now with over crowded bars, not enough parking and the general crime that goes along with that.

Our City Council just voted to give our Police Chief and his Dept. more latitude in dealing with the problem we now have with alcohol establishments...yet City staff seems to be ignoring the letters of request to deny this application written by our very own Police Dept. detectives. I find that troubling and of great concern.

As was reported, we had a death recently in our city directly attributed to the intoxication and drowning of a young man who had frequented the very same bars in and around the area in question. I do not wish to use his horrible death to remind our city employees of the dangers that come with being complacent in regards to too many bars in such a dense area and close proximity to a LARGE body of water but it cannot be ignored.

PLEASE...residents are looking to you to help end the over saturation of bars and drinking establishments in the Peninsula zone.

I am asking you to deny this request and in the future please be mindful of the already established burden that the Peninsula resident must endure.

Thank You,

Lori Morris  
West Newport

## **Murillo, Jaime**

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**From:** cynthia koller [gracenb1@yahoo.com]  
**Sent:** Thursday, March 03, 2011 2:38 PM  
**To:** Earl McDaniel; Susan/Barry Eaton; Michael Toerge; ameri@rbf.com; Robert Hawkins; cwunsworth@cox.net; bhillgren@highrhodes.com  
**Cc:** Kiff, Dave; Rosansky, Steven; Selich, Edward; Mike Henn; Hill, Rush; Gardner, Nancy; Curry, Keith; Daigle, Leslie; Brown, Leilani; Murillo, Jaime  
**Subject:** Malarky's use permit application 2010-039

March 3, 2011

Please enter into the public record

City of Newport Beach  
3300 Newport Boulevard  
Newport Beach, California 92663

Attention: Planning Commission  
City Clerk  
City Council  
Jaime Murillo

Reference: Malarky's Application up 2010-039

Gentlemen:

After reviewing the entire staff report on the Malarky's use permit application I would like to express my concerns with the 'expansion' and staff findings.

It seems the city planning staff has penciled a standard response to the applicant but has not performed due diligence when it comes to representing the factual concerns of the residents who live on the Peninsula and near this project.

It is commendable and the community is very pleased that Mr. Marovic would like to further improve what has long been an eyesore in this area and yes he has made substantial beautification improvements and we are grateful but the residents concerns of I increases of noise, nuisances, foot traffic, vehicle traffic and crime associated with an increased drinking clientele seems to be overlooked.

No one in the community is against Mr. Marovic trying to improve his business especially in these economic times but a request to double the inside occupant load from 91 to 198 then adding an additional 49 patrons on the patio at a drinking establishment, any bar/restaurant in such a high density area is going to cause a considerable added undue burden on the residents who live in close proximity to this property, a huge strain on resident parking (patrons using Albertson's parking lot), an added impact on Hoag's already impacted ER (per the physicians who work there) and a overload on our city services(PD,Fire and Paramedic).

Mr. Marovic has outlined a well thought-out security plan to try to reduce the impacts he knows will come with a large jump in clientele but we all are painfully aware that no matter how well intentioned and implemented his plan is, it is only as good as the area he can apply it to, once these clients leave the property the burden and impacts fall directly on the residents and the Newport Beach Police Department.

As one resident my police logs represent a small look into the late night impacts suffered by residents who live in such a dense mixed-use area near these bars on the Peninsula (fighting, crude loud language, public urination, vomiting on our properties, public sex, increase vehicle traffic using side streets to avoid Police units and a barrage of vehicle hit and runs).

I sincerely wish Mr. Marovic continued business success and applaud him for the positive changes he has made thus far but would respectfully ask the planning commission to consider the facts the NBPD submitted and deny his request for expansion of an outside patio area.

Sincerely,

Cindy Koller  
West Newport Resident

**Murillo, Jaime**

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**From:** Terry Martin [terry@caliberint.net]  
**Sent:** Thursday, March 03, 2011 1:18 PM  
**To:** emcdaniel@sunwestbank.com; Murillo, Jaime  
**Subject:** Malarkey's Expansion

Gentlemen,

I am writing to request that you please vote against the proposed expansion of Malarkey's. I fail to see how permitting the expansion would be in the best interest of our community.

As I understand it, the plan is to increase the capacity of Malarkey's by around 100 patrons. Where will these additional patrons park? Parking on the peninsula is already a nightmare. It is also fair to expect that a number of these additional cars' drivers will be intoxicated after leaving Malarkey's. The last thing we need is an increase in the number of drunk drivers on our roads.

In addition, it is no secret that the party atmosphere of bars such as Malarkey's tends to spill out into the streets after 2:00AM causing headaches for residents in the immediate vicinity. I can not imagine how much worse the problem would get if 100 more patrons are added to the mix.

I am confident that after taking the time to engage in a cost-benefit analysis of the situation, you will come to the conclusion that allowing Malarkey's to expand would be detrimental to our community. Please do not approve the Malarkey's expansion. I thank you for your time.

Sincerely,

Terry Martin

122 Via Palermo, Lido



## **Murillo, Jaime**

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**From:** iaglass@aol.com  
**Sent:** Thursday, March 03, 2011 11:25 AM  
**To:** Murillo, Jaime; emcdaniel@sunwestbank.com  
**Cc:** iaglass@aol.com  
**Subject:** City of Newport Beach Project File No: PA2010-172, Malarky's Bar (3011 Newport Blvd.)

Dear Planning Commission,

As property owners of 215 30<sup>th</sup> Street, we join in the concerns of the Newport Peninsula community and want to express our opposition to the expansion of Malarky's Bar.

As the Planning Commission, you are quite aware of the data that many in the community are raising such the over concentration of ABC licenses in the Newport peninsula. Of course, you are also quite aware of the associated problems such as the high police activities with DUIs, and public intoxication, property damage to private properties in the area, as well as other public nuisances as vandalism, noise, brawls, trash and unruliness. The recklessness occurs during times well into the night and early morning when local residents -- families, children, the elderly -- should also be assured of their own right to peace and safety.

The sad fact that the Planning Commission should also consider are the consequences to Public Safety and Liability. With budgetary problems, can the city afford to enforce its laws on public safety? Can the city afford to place police officers on every ABC licensee on the peninsula during the operating hours of these ABC licensees and into the morning hours?

Sincerely,

Irena and Richard Glassman

## Murillo, Jaime

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**From:** Wetherholt, Drew [Drew.Wetherholt@marcusmillichap.com]  
**Sent:** Thursday, March 03, 2011 9:18 AM  
**To:** Murillo, Jaime  
**Subject:** Malarkeys Expansion

Planning Commissioners:

I DO NOT WISH TO SEE MALARKYS EXPAND AS THIS WILL ONLY HAVE A NEGATIVE IMPACT TO OUR COMMUNITY. MALARKYS APPLICATION SHOULD BE DENIED FOR THE FOLLOWING REASONS:

- The peninsula area (District 15) already has an over-concentration of ABC establishments. According the Alcohol Beverage Control and Newport Beach Police, this small area has in excess of 78 ABC licenses. The most ABC licenses not only in the city but in all of Orange County!
- According to the Newport Beach Police, there is 1 ABC license per every 38 residents in District 15! This is extremely excessive and illustrates that there is NO NEED to increase drinking establishments in this area.
- Reporting District 15 has the highest crime rate in the city by far. According to the Newport Beach Police Department, this reporting district (RD) had a total of 946 reported crimes as compared to a city-wide reporting district average of 162 reported crimes (483.95% above the city-wide RD average). These statistics would tend to indicate that there is a strong correlation between the over-concentration of ABC establishments and police related activity. It should also be noted that the majority of these calls for service occurred between the hours of 6PM and 2AM. Not a very productive use of City, Police or taxpayers resources/money.
- The Newport Beach Police Department has also recommended AGAINST the Malarky's expansion to the Planning Department.
- The area does NOT need an additional 100+ intoxicated individuals roaming our neighborhoods at 2AM with the related problems of yelling/screaming, puking, public urination, sex, vandalism, fights, property damage, and drunk-driving etc. Residents are constantly being disturbed, woken-up and having to deal with these alcohol related problems. Intoxicated individuals have even tried breaking into nearby homes.
- Often residents get to start their weekends cleaning-up puke, broken bottles, and even condoms on the streets, sidewalks and even their front porches. Bras and panties are also found.
- Intoxicated people are constantly running across Newport Blvd and going against the traffic lights especially during the hours of 11PM-2AM. Individuals have nearly been hit by cars and traffic gets obstructed. Cabs often double-parked and create cab lines that also obstruct traffic.
- The surrounding area cannot handle the increased parking even if the applicant has met "zoning" parking requirements. Let's say there is an increase of 100 patrons and let's say only 30% of these patrons drive to the bar, there is simply nowhere for them to park. The municipal lots are full and we already have patrons parking all over our neighborhood. This is not acceptable as the area is already significantly under-parked and this provides no benefit to the community.
- Malarkey's is NOT a restaurant; it is a BAR! Malarky's hosts events such as the Zombie Pub Crawl featuring cheap drink specials.
- The patios of Rudy's bar and the Newport Beach Brewing Company are already too noisy with the related yelling and screaming both during the day and the evening. There is no need to add a patio to Malarky's bar as this will only contribute more noise and problems to the area. There is no logical place to put a patio area on the Malarky's property. All possible locations will have a negative impact on the surrounding community because the excessive sound from the patio will carry throughout the neighborhood. The proposed location is like an enclosed alley and the sound will only echo throughout the area.

- PUBLIC SAFETY is a real concern due to the continued increase of ABC establishments. Doubling the size of this bar will only increase the alcohol related problems within this district and the public safety is further endangered.

WHEN IS TOO MUCH, ENOUGH? PLEASE DENY MARLARKY'S APPLICATION.

Thank you for your time and consideration.

Drew Wetherholt  
30<sup>th</sup> Street Resident

## **Murillo, Jaime**

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**From:** BILLEDPAM@aol.com  
**Sent:** Wednesday, March 02, 2011 8:51 PM  
**To:** Murillo, Jaime  
**Subject:** Malarky's Bar Expansion

Hello - my husband and I built our home on the 200 block of 30th Street in 1991 and have lived here since that time.

We love living here and adjust to the summer visitors and renters that come and go. But the bar situation seems to be getting out of hand. We have the Brew Co. at the end of our street on Newport Blvd., Rudy's on 31st and Newport, Malarky's across the street from Rudy's and the new Pavillions Center will have at least 2 establishments "that we are aware of" that will serve liquor and have patios right next to Malarky's.

A prudent person would agree that enough is enough in this bar congested area we know as "home".

I am personally against an expansion of the "restaurant" bar that is closest to my home that impacts all of my neighbors. And I am against their obtaining a Parking Waiver. This will just impact our street all the more. For such a short street, we have a large number of owner/residents that really "know each other" and rally when an issue impacts us. And we have 5 children living on the 200 block.

I have been a Street Captain for Neighborhood Watch for a number of years and have gone to bat for my neighbor friends who have come to me with issues that they did not know how to handle. And the only thing I feel I can do concerning this issue is to advise you that I am one of many that does not want 100 more people packed into our local pub on our street causing traffic, taking up parking spaces and causing issues late at night as these drinkers try to find their vehicles and the loud talking and screaming that accompanies late night drinking, and then police involvement to assist us.

Thank you for your consideration.

Pamela J. Garrett  
209 30th Street

## **Murillo, Jaime**

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**From:** Louise Fundenberg [lfundy@sbcglobal.net]  
**Sent:** Wednesday, March 02, 2011 12:19 PM  
**To:** Michael Toerge; Barry Eaton; Earl McDaniel; Charles Unsworth; Robert Hawkins; Bradley Hillgren; Fred Ameri; Campbell, James; Murillo, Jaime  
**Cc:** Curry, Keith; Mike Henn; Daigle, Leslie; Rosansky, Steven; Selich, Edward; Gardner, Nancy; Kiff, Dave  
**Subject:** Malarky's Bar

To the Planning Commission of Newport Beach;

I am sending this as a personal email. Malarky's is not CNBCA's area. It is in West Newport's area.

I feel very strongly that you should not grant the conditional use permit nor give a waiver for parking. This area is over parked now.

There the problem of taxis standing waiting for fares, double parked or circling around the area. This makes for much congestion on Newport Blvd.

You can stand at Malarky's front door and see two other bars across the street. The bar goers seem to go from one to the other.

They cross against the light or in the middle of the street. There is no regard for drivers. One of these days someone will get killed.

Putting a bar in the remake of the market on 32nd Street between Newport Blvd. and Balboa Blvd. should not be granted either.

If adding more bar space on the peninsula is some-body's idea of REDEVELOPMENT then bring back the one arm bandits.

Thank you all for the work you do for the city.  
Sincerely,  
Louise Fundenberg

## Murillo, Jaime

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**From:** Campbell, James  
**Sent:** Wednesday, March 02, 2011 7:47 AM  
**To:** Murillo, Jaime  
**Subject:** Fw: deny any expansion permits to Malarky's

**Jim Campbell**  
Acting Planning Director  
Community Development Department

-----Original message-----

**From:** Stuermerk001 <stuermerk001@aol.com>  
**To:** jcampbell@newportbeachca.gov, mcosylion@newportbeachca.gov, palford@newportbeachca.gov, jgarcia@newportbeachca.gov, gramirez@newportbeachca.gov, LDesantis@newportbeachca.gov  
**Sent:** Wed, Mar 2, 2011 06:43:45 GMT+00:00  
**Subject:** deny any expansion permits to Malarky's

Hello,

I've been a resident on 30th St. for over 10 years. I have wonderful neighbors who genuinely care about this city. Over the years, we put up with a lot of issues with drunk/intoxicated individuals due to the bars being around the corner. I do visit them myself, but are very respectful of my neighbors and don't come home late, loud or behave in inappropriate ways in front of the children on our street. Our street almost nightly already has issues with the patrons of these bars, being extremely loud at all our of the night and early morning. These patrons, are known to leave trash on our patios, vomit on our sidewalks, pass out on our patios and scream loud inappropriate profanities during all hours of the day. Also we already have difficulty parking from Memorial Day-Labor Day. Adding capacity to Malarky's Irish Pub would only escalate all of these issues. The honest citizens who love this city would like to keep it a nice place to live and raise a family. Please support your residents and deny any expansions of Malarky's Irish pub. The commission hearing is on 3/3/11 and as a long time resident, please help keep it nice for my neighbors and the other residents that surround this establishment.

Thank you for your time.  
Katie Stuermer

## Murillo, Jaime

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**From:** STACY NIELSEN [stacynaz13@hotmail.com]  
**Sent:** Tuesday, March 01, 2011 10:00 PM  
**To:** Murillo, Jaime; emcdaniel@sunwestbank.com  
**Subject:** Malarky's Petition to Expand

To Whom It May Concern:

Recently it has come to my attention that Malarky's Bar and Grill located at 3011 Newport Blvd. is requesting a use permit that would not only allow for an outdoor patio area but also more than double its occupancy. While I respect Malarky's as a staple of Newport Beach, I do not enjoy the bulk of patrons leaving the facility.

First, Malarky's is primarily a bar and I have seen too many individuals leaving who are extremely intoxicated. This level of intoxication leads to unacceptable levels of noise, unnecessary physical and verbal fights, individuals relieving themselves in alleyways and garages, an excessive level of inappropriate trash (bottles, cans, miscellaneous clothing items, left over/ uneaten pizza), and vomit. A beautiful new facility is being built just behind Malarky's complete with more restaurants and conveniences for vacationers and residents alike. I do not think that any of us want this new facility defaced by these late night antics.

Second, we are already having trouble with the late night noise at the Newport Beach Brewing Company (Brew Co.). Besides the noise of those leaving Malarky's increasing with an increased capacity, adding an outdoor patio to Malarky's directly accross the street will only raise this noise level exponentially all while the City of Newport Beach uses our tax dollars trying to control it.

In conclusion, while outdoor seating would be a nice addition to many restaurants in Newport Beach, Malarky's is not one of these locations. The noise that the patio will produce as well as increased number of drunk guests wondering the streets after hours will only further hurt the areas struggling housing market it will stifle the reputation for which Newport Beach strives. Malarky's should not be granted a permit to expand its facility.

Thank you for your time and concern in this matter. Should you have any further questions, please feel free to contact me at [stacynaz13@hotmail.com](mailto:stacynaz13@hotmail.com).

Sincerely,

Stacy Nielsen Turek  
220 1/2 30th St.

## Murillo, Jaime

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**From:** Linda Formuzis [lklein14@me.com]  
**Sent:** Tuesday, March 01, 2011 3:38 PM  
**To:** Murillo, Jaime  
**Subject:** Malarky's expansion - NO NO NO!

Gentlemen ;

The absolute last thing the Peninsula zone needs is an expanded Malarky's!! We have a total over concentration of rehab clients roaming all over the place and now a bigger drinking bar? Just count the drinking bars we already have!!

The policing issues, parking issues and the hugely undesirable addition to a business that is already a negative in our community! Our quality of life is so compromised in this area already by bars and rehab business that have proliferated in this part of Newport Beach! All of this is counter productive to our efforts to remake the nearby Lido Village area into a quality tourist and visitor zone.

Allowing Malarky's to expand is *out of the question*. It's a no brainer.

Thanks for your support of me and my fellow property owners,  
Linda Klein



**Murillo, Jaime**

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**From:** Neal and Lamia Shehab [starmountain@roadrunner.com]  
**Sent:** Tuesday, March 01, 2011 4:34 PM  
**To:** Murillo, Jaime  
**Cc:** emcdaniel@sunwestbank.com  
**Subject:** Malarkeys

To Whom it May Concern,

Please do not approve the expansion of Malarkeys. The last thing we need on the peninsula is more drunks looking for parking. Unless they can increase their own parking this expansion does not make sense.

Thank you,

Neal Shehab

## Murillo, Jaime

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**From:** Sarah Zielsdorf Calvert [scalvert@xavor.com]  
**Sent:** Tuesday, March 01, 2011 10:43 AM  
**To:** Murillo, Jaime; emcdaniel@sunwestbank.com  
**Subject:** Malarkey's expansion

Hello Jaime and Earl,

I'm writing to let you know that my husband and I oppose the expansion of Malarkey's. We live on 30<sup>th</sup> street with two young children and fear that an expansion would create additional problems and noise for the residents of this area.

Thank you for your time.

Best regards,

Sarah B. Z. Calvert  
Director, Management Consulting  
[scalvert@xavor.com](mailto:scalvert@xavor.com)  
949.231.9304

## **Murillo, Jaime**

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**From:** Dean Roberts [deanandann@verizon.net]  
**Sent:** Tuesday, March 01, 2011 9:29 AM  
**To:** Murillo, Jaime; emcdaniel@sunwestbank.com  
**Cc:** pier2pier@yahoo.com; drew.wetherholt@marcusmillichap.com  
**Subject:** Malarkey's Bar Expansion

We recently learned that the Planning Dept. has recommended that Malarky's has been given approval to significantly expand its operation. We find this incomprehensible that this will, in any way, improve the city and in significant way, lead to its detriment. Please reconsider this matter.

Dean & Ann Roberts,  
313 Anade  
Balboa, CA  
Cell: (626) 221-2297  
[deanandann@verizon.net](mailto:deanandann@verizon.net)

## **Murillo, Jaime**

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**From:** Mary K. Drennan [jmkdren@gmail.com]  
**Sent:** Monday, February 28, 2011 5:59 PM  
**To:** Murillo, Jaime  
**Subject:** Malarkey's Bar

Please deny expansion of Malarkey's Bar. The new owners have made great improvements seen from the outside and I commend them for their attractive exterior. However, allowing an additional 100 occupants will greatly impact parking in the area. This would be unfair to the existing businesses.

Thank you for your consideration.

Mary K. & Jim Drennan.

## **Murillo, Jaime**

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**From:** Bob Klar [theklars@yahoo.com]  
**Sent:** Monday, February 28, 2011 8:11 PM  
**To:** Murillo, Jaime  
**Subject:** Malarky's Bar

I live at 413 East Edgewater, and I do not support the expansion of Malarky's Bar. There are enough bars in the area. Please no more bars.  
Robert W. Klar

**Murillo, Jaime**

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**From:** Marie Pierotti [pierottifamily@yahoo.com]  
**Sent:** Monday, February 28, 2011 4:28 PM  
**To:** emcdaniel@sunwestbank.com; Murillo, Jaime  
**Subject:** Expansion of Malarky's Bar

Chairman McDaniel and Ms. Murillo -

We are writing to express our opposition to the potential expansion of Malarky's Bar. It is difficult to understand why the City would favor a major expansion of a drinking establishment on the Balboa Peninsula when there are already so many such places. The additional parking and traffic that will be generated as well as the noise and difficulties attendant to a bar like this are problems that the property owners should not be required to bear.

Thank you.

Tony and Marie Pierotti  
314 Alvarado Place  
Newport Beach, CA

## Murillo, Jaime

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**From:** Martin Carol [candwmartin@sbcglobal.net]  
**Sent:** Monday, February 28, 2011 2:27 PM  
**To:** Murillo, Jaime  
**Subject:** Malarkey's expansion

As a resident of the central peninsula, I beg you to do all you can to deter the expansion of Malarky's, their addition of patio service, and increased signage. One of the good things about Malarky's has been their tasteful outside appearance and it would be sad for that to become a tacky sign center. Regarding expansion-NO!!! Currently we drive through that section of bars very cautiously hoping to prevent the car being hit by a drunk falling off the curb. More bar capacity equals more patrons at risk of impeding traffic in their unique ways. Just last weekend I screamed to a halt as a Cassidy's patron decided to follow two lovely ladies who had earlier crossed Newport Blvd. As these three stood arm in arm in the center of Newport Blvd. with all lanes of incoming traffic stopped, there could be no question that they had stayed in the bar too long. Current bar capacity is more than adequate.

Carol Martin  
Newport resident

## **Murillo, Jaime**

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**From:** Rick Cunningham [rick@highlandroof.com]  
**Sent:** Monday, February 28, 2011 1:55 PM  
**To:** Murillo, Jaime; 'emcdaniel@sunwestbank.com'  
**Subject:** Conditional Use Permit for Malarky's Bar Expansion - 3011 Newport Blvd

February 28, 2011

Jamie Murillo / Earl McDaniel  
City of Newport Beach  
Planning Commission  
3300 Newport Boulevard  
Newport Beach, CA 92663

RE: Conditional Use Permit for Malarky's Bar Expansion - 3011 Newport Blvd

Dear Sirs:

I was recently informed that the new owners of Malarky's Bar (3011 Newport Blvd) have applied to the Planning Commission for a Conditional Use Permit to expand the facility and add an outdoor patio. I further understand that this expansion would increase their occupancy by about double the current number.

I can't tell you how upsetting this is to me as a local resident living on Marcus Avenue in Newport Beach since 2003. I have already suffered through the aftermath of the expansion of Rudy's bar where we were assured by the ownership and the Commission that there would be "no real impact" on the local residents... this has proven to be a complete farce. I have personally called the Newport Beach Police Department over ten times since that expansion to have them come break up fights, pick up patrons that were passed out in the bushes in front of my house, and to report drunken vandalism to my Marcus Avenue property. Further, I have been awakened by drunks making their way into my back yard, urinating on my bedroom window, yelling and screaming as they make their way home, and my car was severely damaged by a shopping carts being used for go-cart racing at 1:30am.

I realized that when I bought my house in the beach area that parking would be tough, but I did not plan on having Rudy's employees taking up all the street parking between 32<sup>nd</sup> and 35<sup>th</sup> streets. It is hard enough to find a spot now with Rudy's "plaid-clad bar girls" and patrons parking on our streets, with the additional draw of the new Crow Bar in the soon to be completed Pavilion's center and another 100 people nightly at Malarky's, there will never be a spare space for residents or their friends in our neighborhood.

We are living with one Planning Commission mistake already. I implore you not to make another by allowing the Malarky's expansion that will deposit yet more cars, drunks and disorderly patrons onto the surrounding streets.



The neighborhood just west of Malarky's used to be comprised mostly of low dollar rental units with absentee owners but over the last decade more and more people have purchased duplexes and converted them to single family dwellings to live in with their young families. With the increase of owner occupied "family" dwellings the need and tolerance for expanded drinking establishments has exceeded the limit. Our neighborhood has changed into a nice place for families to live and for kids to play. Please don't bring back the seedy element that our neighborhood has tried so hard to clean up by adding capacity for yet another drinking establishment.

Please help us keep our neighborhood safe and family oriented.

Respectfully yours,

***Rick Cunningham***

*President*

*Highland Commercial Roofing*

*626-856-2076 Office*

*310-388-1740 Fax*

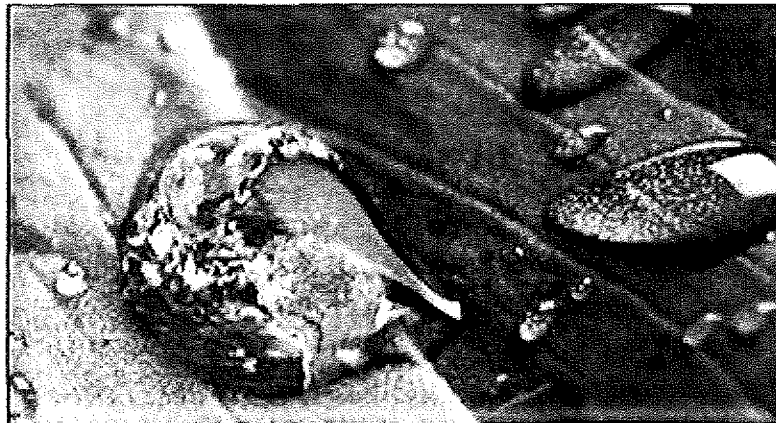
*5105 Heintz Street*

*Baldwin Park, CA 91706*



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## Murillo, Jaime

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**From:** Mike Deschenes [miked@rampageproducts.net]  
**Sent:** Thursday, February 24, 2011 3:24 PM  
**To:** Murillo, Jaime  
**Subject:** Malarkys Expansion request

Jamie Murillo  
Planning Department, Newport Beach, CA

Dear Jamie,

I am aware of a proposed expansion petition on behalf of Malarky's and subsequent planning commission hearing scheduled for March 3<sup>rd</sup>. As I have business obligations that has me out of town, I am unable to attend and share my thoughts as a homeowner, concerned citizen and Newport Beach Tax payer – so I'm asking you to consider my thoughts in your position on this matter.

What in God's name could be the upside to our community? I have a family and we often walk past some of the inebriated, non-resident, guests who frequent the area – at times they are merely disgusting, often they are rude or indecent and disruptive to my simply walking the streets in my own neighborhood –rarely are they polite or sensitive to the appearance or safety of our community. Could you, or anyone on the planning commission, actually believe that we have a shortage of drinking or eating establishments in the area?

This specific establishment has operated in the same location for quite some time - now all of sudden we have an ownership change and for some reason the new owner is looking to our community to enhance his investment – vote no on this petition.... maybe Mario should consider building another bar in his own back yard!!!

Regards,

Mike Deschenes  
Resident of 36<sup>th</sup> Street

## **Murillo, Jaime**

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**From:** lennymark@roadrunner.com  
**Sent:** Sunday, February 27, 2011 10:42 AM  
**To:** Murillo, Jaime  
**Subject:** Malarky's

Please do not let Malarky's increase the size of their location. We have more than enough area in this city for people to drink. We do not need more people coming to the peninsula to get drunk.

Thank you for your consideration.

--

Leonard Applebaum  
Newport Beach, CA

**Murillo, Jaime**

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**From:** Pat Klingensmith [patklingensmith@yahoo.com]  
**Sent:** Sunday, February 27, 2011 10:43 AM  
**To:** Murillo, Jaime  
**Subject:** Malark'ys Bar

We wish to go on record as being against the enlargement of Malarky's Bar. There are too many bars in that area now and the resulting problems caused by excessive drinking are very prevelant in that area.

**Murillo, Jaime**

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**From:** Tom O'Loughlin [BalboaTom@att.net]  
**Sent:** Sunday, February 27, 2011 12:32 PM  
**To:** Murillo, Jaime; emcdaniel@sunwestbank.com  
**Subject:** MALARKYS Newport Beach Project File No:PA2010-172

**Importance:** High

We strongly disapprove of permitting the bar to expand. It is already a very dangerous area with intoxicated patrons crossing the streets there to roam from one bar to another. It just does not make any sense whatsoever!

Tom O'Loughlin  
Balboa Peninsula  
949-374-2171

## **Murillo, Jaime**

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**From:** Irwin Goldring [idgoldring@gmail.com]  
**Sent:** Sunday, February 27, 2011 1:23 PM  
**To:** Murillo, Jaime  
**Subject:** Malarky's Expansion

Please deny the request to expand Malarky's. I am a homeowner on Lindo. Thank you.

## **Murillo, Jaime**

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**From:** Kris and Marcus [lidowilson@aim.com]  
**Sent:** Sunday, February 27, 2011 2:06 PM  
**To:** Murillo, Jaime; emcdaniel@sunwestbank.com  
**Subject:** Malarky's bar (3011 Newport Blvd.)

Planning Department,

Please do not approve any expansion of Malarky's bar (3011 Newport Blvd.)

There are too many bars and drunks and not enough parking. The city should be planning projects that improve the neighborhood and not expanding businesses that destroy it.

Thank you,

Marcus & Kristin Wilson

## Murillo, Jaime

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**From:** phocken@cox.net  
**Sent:** Sunday, February 27, 2011 2:07 PM  
**To:** Murillo, Jaime  
**Cc:** emcdaniel@sunwestbank.com  
**Subject:** Expansion of Malarky's Bar

We have just read with some amazement that the Planning Commission is actually recommending the expansion of Malarky's. If there is one thing that the Lido Isle and Peninsula residents do NOT need is another bar and more associated drinking problems such as drunk drivers, broken bottles, and rather nasty litter, let alone the noise factor of a patio bar. Please do not allow our wonderful Newport/Balboa area to invite further problems for us and the police.

Paula and Roger Hocken  
205 E. Bay Ave., Balboa  
[phocken@cox.net](mailto:phocken@cox.net)



## Murillo, Jaime

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**From:** Joseph R. Stack [joe@stackcpa.com]  
**Sent:** Sunday, February 27, 2011 2:31 PM  
**To:** Murillo, Jaime  
**Cc:** emcdaniel@sunwestbank.com  
**Subject:** opposed to Malarky's expansion

Gentlemen,

I am strongly opposed to Malarky's proposed expansion. I have lived and worked on the peninsula for over 20 years within a few blocks of Malarky's. As a younger man, I spent my share of time inside Malarky's as well as every other bar on the peninsula, so I am not opposed to drinking or drinking establishments in general. However, I remain strongly opposed to any expansion, or establishment of new drinking facilities. ***We have more than enough we don't need more!*** I am also particularly opposed to any outdoor/patio expansion due to the increase in late night noise which is already at unacceptable levels in the area.

I urge you to deny the request for conditional use permit.

Thank you,

Joe Stack

Joseph R. Stack, CPA, MST

Residence: 3310 Marcus Ave

Stack & Jagiello, LLP  
430 32nd Street, Suite 100  
Newport Beach, CA 92663  
tel 949.723.1829.x315  
fax 949.723.6129  
[www.sjcpas.com](http://www.sjcpas.com)

**Murillo, Jaime**

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**From:** Kevin Finn [kevinfinn@sbcglobal.net]  
**Sent:** Sunday, February 27, 2011 2:57 PM  
**To:** Murillo, Jaime  
**Subject:** Marlarky's request for expansion

I AM REQUESTING THAT THE PLANNING COMMISSION FULLY DENY MARLARKY'S APPLICATION FOR EXPANSION. THE PENINSULA IS ALREADY OVER CROWDED WITH BARS THAT BRING MANY ASSOCIATED BURDENS TO THE RESIDENTS AND POLICE WHO LIVE AND WORK HERE.

KEVIN FINN

## Murillo, Jaime

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**From:** Larry Mathena [mathenaesq@aol.com]  
**Sent:** Sunday, February 27, 2011 3:11 PM  
**To:** emcdaniel@sunwestbank.com; Murillo, Jaime  
**Subject:** PA2010-172 Reject it

Malarky's bar (3011 Newport Blvd.) on the Newport Beach peninsula is requesting a conditional use permit to significantly expand the capacity of the bar and add a 782 square foot outdoor patio. This expansion would over double the occupancy from approximately 91 people to over 200 people. We do NOT need to see an additional 100+ intoxicated individuals roaming our neighborhoods. The application also requests to allow more than 3 signs on a single-tenant building. (City of Newport Beach Project File No: PA2010-172)

**WE DO NOT WISH TO SEE MALARKYS EXPAND AS THIS WILL ONLY HAVE A NEGATIVE IMPACT TO OUR COMMUNITY. MALARKYS APPLICATION SHOULD BE DENIED FOR THE FOLLOWING REASONS:**

- The peninsula area (District 15) already has an over-concentration of ABC establishments. According the Alcohol Beverage Control and Newport Beach Police, this small area has in excess of 78 ABC licenses. The most ABC licenses not only in the city but in all of Orange County!
- According to the Newport Beach Police, there is 1 ABC license per every 38 residents in District 15! This is extremely excessive and illustrates that there is NO NEED to increase drinking establishments in this area.
- Reporting District 15 has the highest crime rate in the city by far. According to the Newport Beach Police Department, this reporting district (RD) had a total of 946 reported crimes as compared to a city-wide reporting district average of 162 reported crimes (483.95% above the city-wide RD average). These statistics would tend to indicate that there is a strong correlation between the over-concentration of ABC establishments and police related activity. It should also be noted that the majority of these calls for service occurred between the hours of 6PM and 2AM. Not a very productive use of City, Police or taxpayers resources/money.
- The Newport Beach Police Department has also recommended AGAINST the Malarky's expansion to the Planning Department.
- The new owner was advised by the old owner that the surrounding community is against ANY expansion of the existing bar. He KNEW what he was buying and bought it anyway. Also the property does NOT need to have more than 3 signs when the rest of the surrounding businesses do not. This would be tacky and create an additional eyesore.
- The area does NOT need an additional 100+ intoxicated individuals roaming our neighborhoods at 2AM with the related problems of yelling/screaming, puking, public urination, sex, vandalism, fights, property damage, and drunk-driving etc. Residents are constantly being disturbed, woken-up and having to deal with these alcohol related problems. Intoxicated individuals have even tried breaking into nearby homes.

- PUKE, PUKE and MORE PUKE! Often residents get to start their weekends cleaning-up puke, broken bottles, and even condoms on the streets, sidewalks and even their front porches. Bras and panties are also found.
- Intoxicated people are constantly running across Newport Blvd and going against the traffic lights especially during the hours of 11PM-2AM. Individuals have nearly been hit by cars and traffic gets obstructed. Cabs often double-parked and create cab lines that also obstruct traffic.
- City staff has also indicated that Malarkey's will need to request a parking waiver to meet the proposed occupancy expansion. This is not acceptable as the area is already significantly under-parked and this provides no benefit to the community.
- Malarkey's is NOT a restaurant; it is a BAR! Malarkey's hosts events such as the Zombie Pub Crawl featuring cheap drink specials.
- The patios of Rudy's bar and the Newport Beach Brewing Company are already too noisy with the related yelling and screaming both during the day and the evening. There is no need to add a patio to Malarkey's bar as this will only contribute more noise and problems to the area. There is no logical place to put a patio area on the Malarkey's property. All possible locations will have a negative impact on the surrounding community because the excessive sound from the patio will carry throughout the neighborhood. The proposed location is like an enclosed alley and the sound will only echo throughout the area.
- The peninsula has the highest incidents of DUIs and drunk-driving. PUBLIC SAFETY is a real concern.

Deny this application.

Larry Mathena

## Murillo, Jaime

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**From:** Rick & Shelley Clewett [rrclewett@sbcglobal.net]  
**Sent:** Sunday, February 27, 2011 4:08 PM  
**To:** Murillo, Jaime  
**Subject:** Malarkys Expansion request

Jamie Murillo  
Planning Department, Newport Beach, Ca.

Dear Jamie,

I understand there is a proposed expansion petition on behalf of a bar called Malarkys scheduled for March 3<sup>rd</sup>. As a concerned citizen and a Newport Beach Tax payer, I will definitely be attending the hearing. I want to see for myself if anyone on the Planning Commission has any common sense. Don't we already have enough bars in the area of 30<sup>th</sup> street, you can't stumble out of one without going into another. For Malarkys to try to expand their bar with the sole purpose of getting more people drunk is absurd. For the Planning Commission's information, there are a lot of us residents that would like to see Newport Beach become more family oriented. Please vote "no" on Malarky's petition to expand their bar area.

Thank you for your consideration,

Rick and Shelley Clewett  
Resident of 36<sup>th</sup> Street

**Murillo, Jaime**

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**From:** JUSTINE HURRY [justinehurry@yahoo.com]  
**Sent:** Monday, February 28, 2011 2:17 AM  
**To:** Murillo, Jaime; emcdaniel@sunwestbank.com  
**Subject:** Malarky's Bar

I DO NOT support the expansion of Malarkey's bar! We bought a place and business down there so we and our 4 kids could enjoy it. There are so many issues with noise, drinking people and bar fights where we are now its terrible. Please do not let them add on! Thanks Justine Hurry

## **Murillo, Jaime**

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**From:** Glenell Parker [glenellp@msn.com]  
**Sent:** Monday, February 28, 2011 8:20 AM  
**To:** Murillo, Jaime  
**Subject:** MSN.com

I am the owner of 1221 West Balboa and 1219 West Balboa properties. As a 40 year resident, I want to say I do NOT support the expansion of Malarkys bar. There are too many bars already in Neewport Beach. I have experienced many DUI accidents in front of my property abd do not park on Balboa Blvd. overnight in order to protect my car.

I also do not support a parking varience or or the sign policy for Malarkys.

Frankk J. Bruder  
760/325-4091

## Murillo, Jaime

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**From:** Sonja Kramer [sonjak20@gmail.com]  
**Sent:** Thursday, March 03, 2011 4:23 PM  
**To:** Murillo, Jaime; emcdaniel@sunwestbank.com  
**Subject:** Stopping Malarky's Bar from expanding

To whom it may concern:

My husband, two children, and myself love living in Newport Beach on 30th street, the same street that Malarky's bar is on. We are not in favor of the outdoor patio and of the expansion of the bar for many reasons. Please take the time to consider the residents who have spent millions of dollars on their home before you make this critical decision. Thank you for your time.

Sonja Burns  
949-769-4312



## Burns, Marlene

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**From:** Murillo, Jaime  
**Sent:** Friday, March 04, 2011 9:15 AM  
**To:** Burns, Marlene  
**Subject:** FW: Malarky's Bar Expansion Application

I received this one late last night.

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**From:** marlyne diamond [mailto:marlyned@live.com]  
**Sent:** Thursday, March 03, 2011 7:38 PM  
**To:** 'Lori Morris'; 'Earl McDaniel'; 'Susan/Barry Eaton'; 'Michael Toerge'; ameri@rbf.com; 'Robert Hawkins'; cwunsworth@cox.net; bhillgren@highrhodes.com  
**Cc:** Kiff, Dave; Rosansky, Steven; Selich, Edward; 'Mike Henn'; Hill, Rush; Gardner, Nancy; Curry, Keith; Daigle, Leslie; Brown, Leilani; Murillo, Jaime  
**Subject:** RE: Malarky's Bar Expansion Application

I agree with Cindy Kohller and Lori Morris. Please don't approve of the expansion of Malarky's Bar.  
Marlyne Diamond

**From:** Lori Morris [mailto:lorimorris@gmail.com]  
**Sent:** Thursday, March 03, 2011 3:29 PM  
**To:** Earl McDaniel; Susan/Barry Eaton; Michael Toerge; ameri@rbf.com; Robert Hawkins; cwunsworth@cox.net; bhillgren@highrhodes.com  
**Cc:** Dave 'Kiff'; parahdigm@aol.com; Ed Selich; Mike Henn; rush hill; Nancy Gardner; curryk@pfm.com; lesliejdaigle@aol.com; lbrown@city.newport-beach.ca.us; jmurillo@newportbeachca.gov  
**Subject:** Malarky's Bar Expansion Application

March 3, 2011  
Please enter into the public record

City of Newport Beach  
3300 Newport Boulevard  
Newport Beach, California 92663

Attention: Planning Commission  
City Clerk  
City Council  
Jaime Murillo

Reference: Malarky's Application up 2010-039

Planning Commission, City Council and Staff:

I would like to echo Cindy Koller's request to deny the Malarky's Bar expansion application.

As a resident of the Peninsula I am appalled that the staff report submitted does not go into greater detail regarding the impacts to residents this expansion would most certainly impose.

The Peninsula zone has a far greater burden than any where else in the City of Newport Beach in regard to alcohol establishments.

As we have been involved with the (hopefully) better use of the old City Hall site...it would seem at this point the city staff would look at the entire impact of adding even more space for drinking alcohol in such close proximity to the future use of that site.

Residents of the Peninsula should not continue to bear the burden of even ONE MORE bar or expansion and we would expect our city leaders to be looking for ways to mitigate the problems we have now with over crowded bars, not enough parking and the general crime that goes along with that.

Our City Council just voted to give our Police Chief and his Dept. more latitude in dealing with the problem we now have with alcohol establishments...yet City staff seems to be ignoring the letters of request to deny this application written by our very own Police Dept. detectives. I find that troubling and of great concern.

As was reported, we had a death recently in our city directly attributed to the intoxication and drowning of a young man who had frequented the very same bars in and around the area in question. I do not wish to use his horrible death to remind our city employees of the dangers that come with being complacent in regards to too many bars in such a dense area and close proximity to a LARGE body of water but it cannot be ignored.

PLEASE...residents are looking to you to help end the over saturation of bars and drinking establishments in the Peninsula zone.

I am asking you to deny this request and in the future please be mindful of the already established burden that the Peninsula resident must endure.

Thank You,

Lori Morris  
West Newport

## Burns, Marlene

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**From:** Murillo, Jaime  
**Sent:** Wednesday, March 09, 2011 10:06 AM  
**To:** Burns, Marlene  
**Subject:** FW: stop malarkys

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**From:** Dan Ralsky [mailto:tboneoct@roadrunner.com]  
**Sent:** Friday, March 04, 2011 8:24 PM  
**To:** Murillo, Jaime  
**Subject:** stop malarkys

stop malarkys

## Burns, Marlene

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**From:** Murillo, Jaime  
**Sent:** Wednesday, March 09, 2011 10:06 AM  
**To:** Burns, Marlene  
**Subject:** FW: Marlarky's

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**From:** Helen McCleary [mailto:helenmccleary@att.net]  
**Sent:** Saturday, March 05, 2011 10:49 AM  
**To:** Murillo, Jaime  
**Subject:** Marlarky's

To Jaime Murillo, Associate Planner,

I do not wish to see Malarky's Expand, as this will only have a negative impact to our community. Malarky's application should be denied.

There are enough "Bar's" in the Newport Beach area as it is.

I do not like being disturbed at early hours of the morning with people yelling, arguing, and getting sick on my property!! I have to do the cleaning up and I do not appreciate it.

Drunk drivers have been known to have accidents along Balboa Blvd. and cars have been damaged. There doesn't need to be another bar in Newport Beach.

Thank you,

Helen McCleary

Correspondence  
Item No. 5c  
Malarky's Irish Pub  
PA2010-172

# Additional Information Received From Police Department and the Applicant

**City of Newport Beach  
Police Department**

**M e m o r a n d u m**

March 2, 2011

**TO:** Jaime Murillo, Associate Planner

**FROM:** Detective Bryan Moore

**SUBJECT:** Malarky's Irish Pub, 3011 Newport Boulevard, Use Permit No. 2010-039, (PA2010-172).

The purpose of this memo is to provide additional information to the Planning Department regarding the project application for *Malarky's Irish Pub*, located at 3011 Newport Boulevard, Newport Beach.

It is important to note that Malarky's Irish Pub is a unique location for several reasons: (1) it is located on a busy boulevard in close proximity to residential neighborhoods (2) it is located in reporting district 15 which is the most concentrated area for retail alcohol establishments in the Newport Beach, (3) It has been, and will continue to be, a late night drinking establishment that operates at or near full capacity on the weekends, and (4) it is in close proximity to other late night drinking establishments such as Rudy's and Newport Brewing Company.

The Police Department's primary concern with the interior expansion of Malarky's is the significant increase in occupancy (75 interior, 49 patio) should this application be approved. The applicant may have the best intentions, however, the Police Department knows from experience that when Malarky's closes at 2 a.m., numerous intoxicated individuals leave and create subsequent problems for police and neighborhood residents alike. This is in addition to the patrons that are already leaving neighboring bars such as Rudy's and Newport Brewing Company. It is our belief that an increase in occupancy, for Malarky's, will have additional negative impacts on the surrounding neighborhood and will be a further drain on police services.

It should also be noted that while the Operator's License may be an effective tool in many situations, we do not believe it can properly manage the effects of a significant increase in occupancy. Even if the applicant followed all of the conditions of the license, it would not properly address the influx of patrons onto a busy boulevard and ultimately into the neighboring residential areas.

Malarky's  
UP No. 2010-039

The Police Department continues to recommend against the proposed interior expansion based on the prediction that it will result in an increase in police related activities and calls for police services. The resources required to address these events would detract from our ability to provide police services to the other areas of the Community

If you have any questions, please contact me at (949) 644-3725.



Detective Bryan Moore  
ABC Liaison/Vice/Intelligence



Craig Fox, Captain  
Detective Division Commander

## **Murillo, Jaime**

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**From:** Murillo, Jaime  
**Sent:** Thursday, March 03, 2011 9:03 AM  
**To:** 'Barry Eaton'; 'Brad Hillgren'; 'Mike Toerge'; 'Robert C. Hawkins'; 'Charles Unsworth'; 'Fred Ameri'; 'Earl McDaniel'  
**Cc:** Alford, Patrick; Campbell, James; Burns, Marlene  
**Subject:** FW: Updated Letter of clarification

Good Morning Commissioner's,  
The applicant has requested that I forward the email below for your consideration.  
Thanks,  
Jaime

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**From:** Mario Marovic [mailto:mario@loungegroup.com]  
**Sent:** Thursday, March 03, 2011 8:56 AM  
**To:** Murillo, Jaime  
**Subject:** FW: Updated Letter of clarification

### **For Planning Commission's consideration:**

I just wanted to correct some inaccurate information that has been distributed.

There is a great deal of information circulating regarding the Malarkys application scheduled to be heard before the planning commission this Thursday, March 3rd. I have concerns about the validity of the information that is being distributed., specifically by Mr. Drew Wetherholt. I would like to clear up the misinformation and false statements made by Mr. Wetherholt, which is the purpose of writing you this letter. Below I have listed the facts:

- Drew Wetherholt circulated an email blast stating that we are seeking a parking waiver. We are not seeking a parking waiver. In actuality, we have a surplus of four parking spaces after 11:00 p.m. In addition to the email blasts, I have had neighbors approach me with written flyers that were left at their homes. These flyers were composed by Mr. Wetherholt, who again reiterated that part of the Malarkys application includes a request for a parking waiver. ( I can present this if needed)
- Since Mr. Mario Marovic acquired Landmark Steakhouse nearly seven years ago the only citation he have received is one occupancy issue on July 3, 2010 that is being resolved through the addition of a rear door and reconfiguration of the restrooms. Once the improvements are completed, the citation will be dismissed.
- Mr. Wetherholt has claimed that there have been fights and other disturbances at Malarkys. Not only did they not occur, but the police have no record of any of these disturbances. Mr. Wetherholt has made reference to issues pertaining specifically to last Saturday, February 26<sup>th</sup>. There was NOT any physical altercation of any kind. I researched this with my staff and with the Newport Beach Police Department. I informed Mr. Wetherholt of this fact before he made that claim in writing.
- I met with Newport Beach Police Department this morning and reviewed the report from the hit and run last Saturday Night, (Case# 11-1694). The driver WAS NOT a Malarkys customer! The driver came from another establishment and never stepped foot in our location.



- Mr. Wetherholt insinuated in writing that a person involved in an attempted breaking and entering was somehow associated with the Malarkys establishment. I met with Mr. Wetherholt's neighbor who stated that there was no definitive association with Malarkys. Simply, that Mr. Wetherholt believes that this individual came from the general direction of Malarkys. Any individual walking north to south from Newport Boulevard must walk by Malarkys and our parking lot.

Here is the real issue:

- The Police Department supports the outdoor patio, but want it closed at 10:00pm. Mr. Marovic would like the dining patio to remain open until 11:00pm. The average dining experience is approximately two hours, depending on the size of the party. Larger parties may last longer and smaller parties may be slightly shorter. Therefore, by closing the patio at 11pm Malarky's will be able to accommodate 8:30pm and 9pm dining reservations without having to "rush" customers off of the patio and diminish their dining experience. Since this is a dining patio, taking a 9pm reservation and allowing a customer two full hours to eat appetizers, entrée and dessert should be a reasonable request.
- The 560 square foot interior expansion (size of a large two car garage) is for three dining booths, wrap around seating bench, tables/chairs and a serving station. It seems that the opposition is making more out of the application than is necessary.
- The point of the remodel/expansion is to improve the dining experience and attract a higher level of clientele.
- Mario has invested hundreds of thousands of dollars in both exterior and interior improvements. The adjacent weed lot was constructed into an attractive, landscaped parking lot. The exterior of the building was painted and fitted with custom planter boxes and crown molding. Furthermore, our application involves an additional investment of over two hundred thousand dollars (\$200,000) for ADA restrooms, a grease interceptor, fire sprinklers, and new water and sewer lines.
- Hundreds of peninsula homeowners have already come into the restaurant to eat and thank us for the improvements. I believe the requested improvements are modest and reasonable in light of the major investment and beautification of the building and property.

**REVISED**

**RESOLUTION NO. #####**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH APPROVING CONDITIONAL USE PERMIT NO. UP2010-013 AND COMPREHENSIVE SIGN PROGRAM NO. CS2011-002 AUTHORIZING THE ADDITION OF OUTDOOR DINING AND SIGNAGE IMPROVEMENTS FOR AN EATING AND DRINKING ESTABLISHMENT LOCATED AT 3011 NEWPORT BOULEVARD AND DENYING THE REQUEST FOR THE INTERIOR DINING ROOM EXPANSION (PA2010-172)**

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

**SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Malarky's Irish Pub Inc., with respect to property located at 3011 Newport Boulevard, Assessor Parcel Number's 047-060-01, 047-060-06, and 047-060-10, requesting approval of a conditional use permit and a comprehensive sign program.
2. The applicant filed an application for a conditional use permit request to expand an existing eating and drinking establishment and to allow for the use of off-site parking. The expansion includes remodeling the interior of the facility to create approximately 565 square feet of new dining area and the construction of an approximately 782-square-foot outdoor dining patio. The application also includes a request for a comprehensive sign program to allow more than three signs on a single-tenant building.
3. The subject property is located within the Commercial Neighborhood (CN) Zoning District and the General Plan Land Use Element category is Neighborhood Commercial (CN).
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Neighborhood Commercial (CN).
5. A public hearing was held on March 3, 2011, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

**SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.**

1. This project has been determined to be categorically exempt under the requirements of the California Environmental Quality Act under Class 1 (Existing Facilities).

2. This exemption authorizes additions to existing structures of up to 10,000 square feet. The proposed project consists of a 565-square-foot interior dining room expansion and the construction of a new 782-square-foot outdoor dining patio, and therefore, qualifies under this exemption.

### SECTION 3. REQUIRED FINDINGS.

1. Pursuant to Section 20.42.120 of the Zoning Code, approval of a Comprehensive Sign Program is required whenever 3 or more signs are proposed for a single-tenant development. In accordance with Section 20.67.120.E, a Comprehensive Sign Program shall comply with a number of standards. The following standards and facts in support of such standards are set forth:

#### Standard:

- A. *The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42: Signs], any adopted sign design guidelines and the overall purpose and intent of this Section [Section 20.42.120].*

#### Facts in Support of Standard:

- A-1. In compliance with the purpose and intent of the Sign Code, the proposed Sign Program provides the use with adequate identification without excessive proliferation of signage. Furthermore, it preserves community appearance by regulating the type, number, and design of signage.

#### Standard:

- B. *The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.*

#### Facts in Support of Standard:

- B-1. The site is for use of a single tenant only, and the signage has been designed integral with the design and character of the building.
- B-2. The applicant is proposing to renovate the exterior appearance of the building in the architectural theme of a traditional Irish pub.
- B-3. The existing tower element divides the primary frontage of the building requiring signage to be broken up into three separate wall signs. The remaining awning signs and projecting sign are minor and incidental to the primary wall signs. The north and south elevations and considered secondary frontages and consist of only one wall sign and two incidental awning signs.

Standard:

*C. The sign program shall address all signs, including permanent, temporary, and exempt signs.*

Facts in Support of Standard:

C-1. The Sign Program submitted for the project addresses all project signage. Temporary and exempt signs not specifically addressed in the Program shall be regulated by the provisions of Chapter 20.42.

Standard:

*D. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.*

Facts in Support of Standard:

D-1. The project site is for the sole use of Malarky's Irish Pub and has been designed to be effective for such a use.

D-2. It is not anticipated that future revisions will be necessary to accommodate constant changes in tenants or uses. However, flexibility has been incorporated into the Sign Program Matrix to allow minor deviations from the proposed plans.

D-3. Consistent with Chapter 20.42, the Planning Director may approve minor revisions to the Sign Program if the intent of the original approval is not affected.

Standard:

*E. The program shall comply with the standards of this Chapter, except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter.*

Facts in Support of Standard:

E-1. The Sign Program requests deviation in number of signs and location.

E-2. The sign code normally allows one wall sign up to 75 square feet in area on the primary frontage; however, due to the existing tower element on the building that divides the front facade, one large wall sign cannot be achieved.

- E-3. Breaking up the signage into three separate smaller wall signs allows for a more aesthetically pleasing orientation of signage and achieves the applicant's design theme of a traditional Irish pub.
- E-4. The projecting sign and awning signs are minor and incidental the main wall signage. Also, given the orientation of the building, staff believes the deviations in the wall signs separation and centering are merited to allow the applicant more effective sign placement.
- E-5. Allowing the signs on the on the secondary frontages to be located towards the front corner of the building allows for increased sign visibility for motorists driving along Newport Boulevard.

Standard:

*F. The Approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter.*

Facts in Support of Standard:

- F-1. The program does not authorize the use of prohibited signs.

Standard:

*G. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.*

Facts in Support of Standard:

- G-1. The program contains no regulations affecting sign message or content.

- 2. Pursuant to Section 20.40.100 of the Zoning Code, off-street parking on a separate lot from the project site requires the approval of a conditional use permit. In addition to the standard conditional use permit findings, approval of off-site parking is subject to specific findings. The following findings and facts in support of such findings are set forth:

Finding:

*A. The parking facility is located within a convenient distance to the use it is intended to serve.*

Facts in Support of Finding:

- A-1. The proposed off-site parking lot is located immediately adjacent to the subject property.

A-2. The proposed off-site parking lot has been designed as an extension of the existing parking lot for the establishment.

Finding:

*B. On-street parking is not being counted towards meeting parking requirements.*

Facts in Support of Finding:

B-1. The required 47 44 parking spaces are provided entirely within the parking lot.

Finding:

*C. Use of the parking facility will not create undue traffic hazards or impacts in the surrounding area.*

Facts in Support of Finding:

C-1. The Traffic Engineer has reviewed and approved the configuration of the new parking lot extension and proposed changes to the existing parking lot, and has determined that the parking lot design will not create an undue traffic hazard in the surrounding area.

C-2. The northerly driveway will be modified for one-way ingress and the southerly driveway will be provided for both ingress and egress circulation.

Finding:

*D. The parking facility will be permanently available, marked, and maintained for the use it is intended to serve.*

Facts in Support of Finding:

D-1. The applicant has entered into a 10-year lease, with an option to renew for an additional 5 years, for use of the three parcels and 20-foot-wide easement.

D-2. The William J. Cagney Trust owns the subject building and associated off-site parking lots, and has entered into a long-term lease with the applicant; therefore, the parking facility will remain available, marked, and maintained for the use of the subject establishment.

D-3. As a condition of approval, the required 47 44 spaces are to be permanently provided on-site or within the adjoining off-site lots.

3. Pursuant to Section 20.20.020 of the Zoning Code, eating and drinking establishments classified as *Food Service, Late Hours*, require the approval of a conditional use permit within the Commercial Neighborhood Zoning District. **The proposed project consists**

**of a 565-square-foot interior expansion and addition of a 782-square-foot outdoor dining patio.** In accordance with Section 20.52.020.F of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth **in support of the 782-square-foot outdoor dining patio:**

Finding:

*A. The use is consistent with the General Plan and any applicable Specific Plan.*

Facts in Support of Finding:

- A-1. The operation of a Food Service, Late Hours use, with alcoholic beverages, is consistent with the purpose and intent of the Neighborhood Commercial (CN) land use designation of the General Plan.
- A-2. The CN designation is intended to provide for a limited range of retail and service uses developed in one or more distinct centers oriented primarily to serve the needs and maintain compatibility with the residential uses in the area. Food Service uses **with outdoor dining patios** can be expected to be found in this area and similar locations and are complementary to the surrounding commercial and residential uses.

Finding:

*B. The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

Facts in Support of Finding:

- B-1. Eating and drinking establishments classified as *Food Service, Late Hours*, require the approval of a conditional use permit within the CN district.
- B-2. As conditioned, the proposed project will comply with Zoning Code standards for eating and drinking establishments and solid waste storage, including the installation of a grease interceptor.
- B-3. Pursuant to Chapter 5.25, the project has been conditioned requiring the operator of the establishment to secure an Operator License from the Police Department to maintain operating hours beyond 11:00 p.m.
- B-4. The applicant will be required to enter into a parking agreement for the use of off-site parking, which guarantees the long term availability of the parking facilities and shall be recorded with the County Recorder's Office.

Finding:

*C. The design, location, size, operating characteristics of the use are compatible with the allowed uses in the vicinity.*

Facts in Support of Finding:

- C-1. The project has been reviewed and conditioned to ensure that potential conflicts with the surrounding land uses are minimized to the extent possible to maintain a healthy environment for both residents and businesses.
- C-2. **A surplus of Adequate** parking will be provided for the proposed operation at all times of the day. ~~with a surplus of parking provided during late hours.~~
- C-3. No live entertainment or dancing is proposed; however, amplified music through the use of a jukebox will be used. A condition of approval has been included requiring the exterior doors and windows to be maintained in the closed position at all times, except for the ingress and egress of patrons.
- C-4. Significant noise impacts from the proposed outdoor dining patio are not anticipated given its location on the north side of the building, its distance of approximately 300 feet from the nearest residential dwelling, and the shielding by the existing shopping center building. The outdoor dining patio is also surrounded by a 9-foot-8-inch-high glass barrier that should help attenuate sound and will be completely closed by 11:00 p.m.
- C-5. No new expansion of interior net public area is approved, thereby limiting late hour operations.**
- C-6. No new lighting is proposed with the exception of illumination for the new signage and the outdoor patio. Existing exterior lighting exists only to illuminate the parking lot.
- C-7. The trash enclosure is not currently provided on-site; however, the applicant is proposing to construct a new enclosure in the northwest corner of the parking lot. The design and area of the enclosure is proposed to comply with the design requirements of the Zoning Code.

Finding:

*D. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.*

Facts in Support of Finding:

- D-1. The Traffic Engineer and Fire Department have reviewed the configuration of the new parking lot extension and proposed changes to the existing parking lot,



and have determined that the parking lot design will function safely and will not prevent emergency vehicle access to the establishment.

- D-2. The applicant is proposing to install ~~fire sprinklers and~~ a grease interceptor for the establishment.
- D-3. The site is currently served by public services and utilities.
- D-4. The area of the site, including the off-site parking lots, is approximately 22,680 square feet and adequate in size to accommodate the subject establishment and all required parking.
- D-5. **The addition of outdoor dining, with limited hours, to the existing establishment will enhance food service opportunities.** The site is located at the northwest corner of Newport Boulevard and 30<sup>th</sup> Street, with the building fronting onto Newport Boulevard. This is an appropriate location for an eating and drinking establishment and **is limiting the establishment's expansion during late hours will ensure the use does not become incompatible compatible** with other commercial uses fronting Newport Boulevard.

Finding:

- E. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

Facts in Support of Finding:

- E-1. The nearest residential uses are located to the west on 30<sup>th</sup> Street, across from the loading dock of the adjacent shopping center. The nearest dwelling is located approximately 130 feet from the closest extent of the new parking lot boundaries and approximately 220 feet from the building itself. The adjacent shopping center building and an 8-foot-high block wall provides a screening and noise buffer from the project site. The applicant has also planted a row of bamboo trees along the block wall to help visually screen the establishment.
- E-2. The parking lots improvements and proposed facade improvements will have a positive impact on the overall aesthetics and economic health of the community, and may promote further revitalization of the other commercial properties located along Newport Boulevard.
- E-3. No new expansion of interior net public area is approved, thereby limiting late hour operations.**
- E-4. **Increased pedestrian and vehicular activity is expected during late and early morning hours as a result of the increased occupancy; however** The applicant

will be required to obtain an Operator License from the Police Department. The Operator License will provide for enhanced control of noise, loitering, litter, disorderly conduct, parking/circulation, and other potential disturbances resulting from the establishment, and will provide the Police Department with means to modify, suspend, or revoke the operator's ability to maintain of late-hour operations if objectionable conditions occur.

**4. The findings required by Section 20.52.020.F of the Newport Beach Municipal Code to approve the 565-square-foot interior dining room expansion cannot be made for the following reasons:**

**A. The establishment is located adjacent to a major street and in close proximity to two other eating and drinking establishments with late hour operations. When the three establishments close at similar times in the late hours, cumulative negative impacts to the surrounding neighborhood occur through the large influx of patrons leaving these establishments. These impacts include large numbers of patrons illegally crossing Newport Boulevard and stopping traffic, taxi cabs blocking traffic on Newport Boulevard, patrons loitering in the streets and sidewalks on Newport Boulevard and within the neighboring residential areas.**

**B. The proposed interior expansion will increase the occupancy of the establishment by approximately 55 percent, resulting in increased numbers of patrons contributing to the existing late hour disturbances that occur in this area.**

**C. Memorandums provided by the Police Department project that the increased occupancy during late hours will result in increased police related activities and calls for services. The resources required to address these events would detract from the Police Departments ability to provide police services to other areas of the community.**

**D. Even with the requirement to secure an operator license pursuant to Chapter 5.25 of the Municipal Code, many of these negative impacts cannot be prevented as they are outside the control of operator and the on-site operations and management of the establishment. The increased occupancy at this location will exacerbate the existing late hour disturbances that cumulatively occur in this area due to the close proximity of other eating and drinking establishments with late hour operations.**

**SECTION 4. DECISION.**

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Planning Commission of the City of Newport Beach hereby approves Conditional Use Permit No. UP2010-039 and Comprehensive Sign Program NO. CS2011-002

**authorizing the addition of the outdoor dining patio and signage improvements,** subject to the conditions set forth in Exhibit A and the Sign Program Matrix included in Exhibit B, which is attached hereto and incorporated by reference.

**2. The Planning Commission of the City of Newport Beach hereby denies the 565-square-foot interior dining room expansion request.**

3. This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.
4. This resolution supersedes Use Permit No. 1792 and Use Permit No. 1792 (amended), which upon vesting of the rights authorized by this Conditional Use Permit No. UP2010-039, shall become null and void.

**PASSED, APPROVED AND ADOPTED THIS 3rd DAY OF MARCH, 2011.**

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: \_\_\_\_\_  
Earl McDaniel, Chairman

BY: \_\_\_\_\_  
Michael Toerge, Secretary

**EXHIBIT "A"****CONDITIONS OF APPROVAL**  
*(Project-specific conditions are in italics)***PLANNING**

1. *The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval.)*
2. ***The proposed 565-square-foot interior dining room expansion shall not be permitted.***
3. *All proposed signs shall be in conformance with the approved plans, Comprehensive Sign Program Matrix attached as Exhibit B, and provisions of Chapter 20.67 of the Newport Beach Municipal Code.*
4. *Conditional Use Permit No. UP2010-039 and Comprehensive Development Plan No. CS2011-002 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 of the Newport Beach Municipal Code, unless an extension is otherwise granted.*
5. *The approval is only for an eating and drinking establishment defined as Food Service, Late Hours as defined by Title 20 of the Municipal Code; however, the establishment may operate with the principal purpose of the sale and service of alcoholic beverages with incidental food service after the hour of 11:00 p.m.*
6. *Full meal service shall be provided during all hours of operation, except after the hours of 11:00 p.m.*
7. *The hours of operations shall be limited to between 7:00 a.m. and 11:00 p.m., daily, unless the operator of the establishment secures and maintains an Operator License pursuant to Chapter 5.25 of the Municipal Code. In no case shall the establishment be permitted to operate beyond the hours of 2:00 a.m.*
8. *The outdoor dining patio shall be closed no later than 11:00 p.m., daily.*
9. ***The occupant load of the outdoor dining patio shall be limited to a maximum of 49 persons.***
10. *The Operator License required to be obtained pursuant to Condition No. **68** and Chapter 5.25 of the Municipal Code, may be subject to additional and/or more restrictive conditions to regulate and control potential late-hour nuisances associated with the operation of the establishment.*

11. *The material and color of any awning or umbrella located on the outdoor dining patio shall be subject to review and approval by the Planning Division. No form of advertisement shall be placed on an awning, umbrella or elsewhere in the outdoor dining patio. The outdoor dining patio, including any awning or umbrella, shall be maintained in a clean orderly condition at all times.*
12. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
13. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.
14. This approval was based on the particulars of the individual case and does not in and of itself or in combination with other approvals in the vicinity or Citywide constitute a precedent for future approvals or decisions.
15. This Conditional Use Permit may be modified or revoked by the City Council or Planning Commission should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
16. Any change in operational characteristics, expansion in area, or other modification to the approved plans, shall require an amendment to this Conditional Use Permit or the processing of a new Conditional Use Permit.
17. Prior to the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Department.
18. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
19. Prior to issuance of building permits, approval from the California Coastal Commission shall be required.
20. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
21. Water ~~should~~ **shall** not be used to clean paved surfaces such as sidewalks, driveways, parking areas, etc. except to alleviate immediate safety or sanitation hazards.

22. The site shall not be excessively illuminated based on the luminance recommendations of the Illuminating Engineering Society of North America, or, if in the opinion of the Deputy Community Development Director, the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources. The Deputy Community Development Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
23. The operator of the facility shall be responsible for the control of noise generated by the subject facility including, but not limited to, noise generated by patrons, food service operations, and mechanical equipment. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code. The maximum noise shall be limited to no more than depicted below for the specified time periods unless the ambient noise level is higher:

	Between the hours of 7:00AM and 10:00PM		Between the hours of 10:00PM and 7:00AM	
Location	Interior	Exterior	Interior	Exterior
Residential Property	45dBA	55dBA	40dBA	50dBA
Residential Property located within 100 feet of a commercial property	45dBA	60dBA	45dBA	50dBA
Mixed Use Property	45dBA	60dBA	45dBA	50dBA
Commercial Property	N/A	65dBA	N/A	60dBA

24. No outside paging system shall be utilized in conjunction with this establishment.
25. *Recorded music or other types of sound amplification within the outdoor patio area shall only be audible to the audience within the patio area.*
26. All mechanical equipment shall be screened from view of adjacent properties and adjacent public streets within the limits authorized by this permit, and shall be sound attenuated in accordance with Chapter 10.26 of the Newport Beach Municipal Code, Community Noise Control.
27. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays or Holidays.
28. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a self-latching gate), except when placed for pick-up by refuse collection agencies. The trash enclosure shall have a decorative solid roof for aesthetic and screening purposes.

- 
29. *A new trash enclosure shall be constructed in the location illustrated on the approved plans. The trash enclosure shall comply with the development and location standards contained in Section 20.30.120 of the Zoning Code.*
  30. Trash receptacles for patrons shall be conveniently located both inside and outside of the establishment, however, not located on or within any public property or right-of-way.
  31. Storage outside of the building in the front or at the rear of the property shall be prohibited, with the exception of the required trash container enclosure.
  32. The applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Division. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
  33. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., daily, unless otherwise approved by the Deputy Community Development Director, and may require an amendment to this Conditional Use Permit.
  34. The exterior of the premises, including signs and accessory structures, shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter debris and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
  35. Prior to final of the building permits, the applicant shall prepare and submit a practical program for controlling litter, spills, and stains resulting from the use on the site and adjacent areas to the Planning Division for review. The building permit shall not be finalized and use cannot be implemented until that program is approved. The program shall include a detailed time frame for the policing and cleanup of the public sidewalk and right-of-way in front of the subject property as well as the adjacent public right-of-way (25 feet north and south of the subject property) not just in front of the subject tenant space. Failure to comply with that program shall be considered a violation of the use permit and shall be subject to administrative remedy in accordance with Chapter 1.05 of the Newport Beach Municipal Code that includes issuance of a citation of violation and monetary fines.
  36. A covered wash-out area for refuse containers and kitchen equipment, with minimum useable area dimensions of 36-inches wide, 36-inches deep and 72-inches high, shall be provided, and the area shall drain directly into the sewer system, unless otherwise approved by the Building Division and Public Works Department in conjunction with the approval of an alternate drainage plan.

37. Kitchen exhaust fans shall be installed/maintained in accordance with the Uniform Mechanical Code. The issues with regard to the control of smoke and odor shall be directed to the South Coast Air Quality Management District.
38. The rear doors of the facility shall remain closed at all times. The use of the rear door shall be limited to deliveries and employee use only. Ingress and egress by patrons is prohibited in unless there is an emergency.
39. All doors and windows of the entire facility shall remain closed at all times except for the ingress and egress of patrons and employees.
40. Any event or activity staged by an outside promoter or entity, where the applicant, operator, owner or his employees or representatives share in any profits, or pay any percentage or commission to a promoter or any other person based upon money collected as a door charge, cover charge or any other form of admission charge, including minimum drink orders or sale of drinks is prohibited
41. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
42. There shall be no on-site radio, televisions, video, film or electronic media broadcasts, including recordings to be broadcasted at a later time, which include the service of alcoholic beverages, without first obtaining an approved special event permit issued by the City of Newport Beach.
43. *All employees are required to park on-site.*
44. *A total 47 44 parking spaces shall be provided on-site or on the adjoining off-site locations.*
45. *Prior to final of the building permits, a parking agreement, which guarantees the long term availability of the off-site parking facilities for the use of the subject establishment, shall be recorded with the County Recorder's Office. The agreement shall be in a form approved by the City Attorney and the Community Development Director.*
46. All owners, managers and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program must meet the standards of the California Coordinating Council on Responsible Beverage Service or other certifying/licensing body, which the State may designate. The establishment shall comply with the requirements of this section within 180 days of the issuance of the certificate of occupancy. Records of each owner's, manager's and employee's successful completion of the required certified training program shall be maintained on



the premises and shall be presented upon request by a representative of the City of Newport Beach.

47. The type of alcoholic beverage license issued by the California Board of Alcoholic Beverage Control shall be a Type 47 in conjunction with the service of food as the principal use of the facility. Any upgrade in the alcoholic beverage license shall be subject to the approval of an amendment to this application and may require the approval of the Planning Commission.
- ~~48. Any event or activity staged by an outside promoter or entity, where the restaurant owner or his employees or representatives share in any profits, or pay any percentage or commission to a promoter or any other person based upon money collected as a door charge, cover charge or any other form of admission charge, including minimum drink orders or sale of drinks is prohibited.~~
49. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.
50. No "happy hour" type of reduced price alcoholic beverage promotion shall be allowed except when served in conjunction with food ordered from the full service menu.
51. No games or contests requiring or involving the consumption of alcoholic beverages shall be permitted.
52. There shall be no exterior advertising or signs of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs that are clearly visible to the exterior shall constitute a violation of this condition.
- ~~53. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food and retail sales during the same period. The licensee shall maintain records that reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Planning Division on demand.~~
54. Live entertainment and dancing shall be prohibited as a part of the regular operation, unless an amendment to this conditional use permit or other required application is first approved in accordance with the provisions of the Municipal Code.
55. The establishment shall provide licensed security personnel. A comprehensive security plan for the permitted uses shall be submitted for review and approval by the Newport Beach Police Department. The procedures included in the plan and any recommendations made by the Police Department shall be implemented and adhered to for the life of the conditional use permit.
56. *The applicant shall provide security personnel within the parking lot in the evenings between 11:00 p.m. and 15 minutes after closing, in sufficient number, to advise and*

*assist patrons entering and leaving the area in a quiet manner, and to prevent loitering by patrons after the close of business.*

57. *The operator of the establishment shall post signs at clearly visible locations within the establishment and throughout the parking lot advising patrons to keep noise at a minimum.*
58. The operator of the establishment shall maintain a copy of the most recent City permit conditions of approval on the premises and shall post a notice that these are available for review on the premises. The posted notice shall be signed by the permittee.
59. *To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Malarky's Irish Pub including, but not limited to, Conditional Use Permit No. UP2010-039 and Comprehensive Sign Program No. CS2011-002 and the determination that the project is exempt under the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.*

### **Fire Department Conditions**

~~60. Automatic fire sprinklers shall be required if the occupant load is 100 persons or more.~~

61. Portable propane heaters are not permitted. Any proposed heaters for the new outdoor dining patio shall be either electric or natural gas installed in accordance with the California Electrical or Plumbing Code.

### **Building Department Conditions**

62. The applicant is required to obtain all applicable permits from the City Building and Fire Departments. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements. Approval from the Orange County Health Department is required prior to the issuance of a building permit.
63. All exits shall remain free of obstructions and available for ingress and egress at all times.

- 64. Strict adherence to maximum occupancy limits is required.
- 65. Grease interceptors shall be installed on all fixtures in the restaurant where grease may be introduced into the drainage systems in accordance with the provisions of the Plumbing Code, unless otherwise approved by the Building Division.

**Public Works Conditions**

- 66. *The proposed signs, awning, and entry canopy that project into the public right-of-way shall comply with City Council Policy L-6.*
- 67. *Prior to final of the building permits, the applicant shall ~~be~~ reconstruct the curb, gutter and sidewalk from the southerly building corner to the northerly property line along Newport Boulevard.*
- 68. *Prior to final of the building permits., the applicant shall reconstruct the existing driveway approach at the northerly portion of the project site along Newport Boulevard.*
- 69. *Implementation of valet parking shall not be permitted unless a valet operation and management plan is first submitted for review and approved by the Deputy Community Development Director and the City Traffic Engineer.*

**EXHIBIT “B”**

Sign Program Matrix



## Comprehensive Sign Program Matrix for 3011 Newport Blvd

Planning Department  
3300 Newport Boulevard, Newport Beach, CA 92663  
(949)644-3200 Telephone | (949)644-3229 Facsimile  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

### Frontage Designations:

- A. Newport Blvd
- B. 30<sup>th</sup> Street
- C. Northwest (Facing Shopping Center)

(LF = Linear Feet / SF = Square Feet)

Type of Sign	Primary Frontage Newport Blvd	Secondary Frontage 30 <sup>th</sup> Street & Northwest (Facing Shopping Center)
Wall Sign (1)	Maximum number of signs: 3 Maximum sign area: 75 SF Maximum vertical dimension: 18 inches Minimum distance from building corner: 7 feet	Maximum number of signs: 1 Maximum sign area: 37.5 SF Maximum vertical dimension: 24 inches Minimum distance from building corner: 7 feet
Projecting Sign (1) (2)	Maximum number of signs: 1 Maximum sign area: 10 SF Maximum Projection: 3 feet	N/A
Awning Sign (1) (2) (3)	Maximum number of signs: 4 Maximum sign area: 8 SF Maximum vertical dimension: 6 inches	Maximum number of signs: 2 Maximum sign area: 4 SF Maximum vertical dimension: 6 inches
<b>Total Sign Area</b>	75 SF for any combination of signs	37.5 SF for any combination of signs

NOTE: Sign area is the area measured by two perpendicular sets of parallel lines that surround the proposed logo and sign copy. All signs shall substantially conform to the approved set of plans stamped and dated March 3, 2011. Pursuant to Section 20.42.120.F of the Zoning Code, the Planning Director may approve minor revisions to the Sign Program if the intent of the original approval is not affected.

- (1) Subject to the regulations of 20.42.080 for sign standards by sign type, unless otherwise indicated by table matrix and or in the finding and conditions in the associated resolution of approval.
- (2) A minimum of 8 feet of clearance between the lowest part of a sign/awning and the grade below shall be provided.
- (3) Signage limited to valance only. A maximum of 50 percent of the valance area shall be used for signage.



**Proposal for an Outdoor Dining Patio  
And Remodel / Expansion  
Planning Commission Hearing  
March 3, 2011**

# Mario Marovic

## Personal

- Married to Ashlea Marovic and lives in Newport Beach with our 2 year old daughter
- Vested in the community

## Education

- USC- School of Entrepreneurship
- MBA – Marshall School of Business (USC)

## Experience

- 2nd Generation restaurateur
- Owns six locations in Orange County

# Why Are We Here?

**BETTER FACILITY = BETTER DEMOGRAPHIC**



# Malarky's Exterior Improvements



BEFORE



AFTER

# Exterior Improvements To Date

- Landscaped Parking Lot
  - Extensive lighting
  - Installed a water clarification
  - Daily cleaning crew
- Building Facade
  - Stucco and paint
  - Crown molding
  - Custom planter boxes
  - New bike rack
  - New trash cans
  - Rooftop equipment

# Interior Improvements To Date

- New refrigeration equipment
- New menu
- New kitchen equipment
- More kitchen staff with training
- Implemented new computer point of sale system
- Doubled food sales!

# Restrooms

## **Current Restrooms**

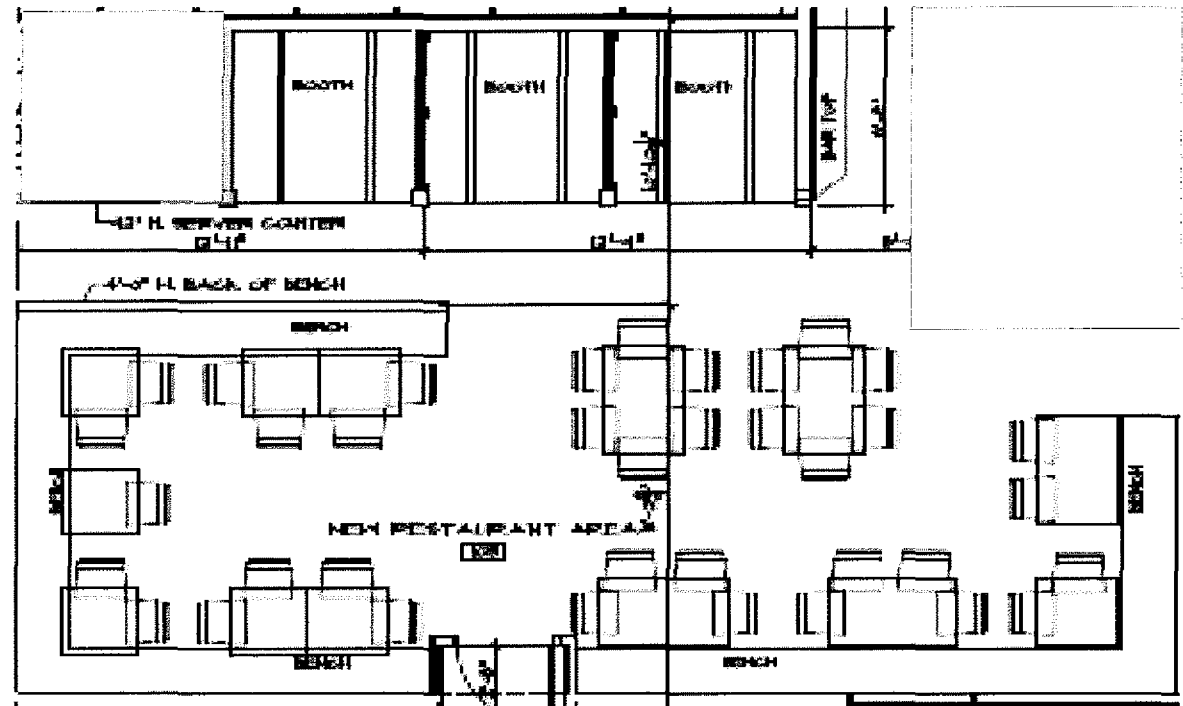
- NOT ADA compliant
- Mens: one sink, one urinal and one stall (NON ADA)
- Womens: one sink, two stalls (NON ADA)
- Both restrooms are VERY small and inconvenient

## **Proposed Restrooms**

- Fully ADA compliant
- Mens: three sinks, four urinals and one stall (ADA compliant)
- Womens: three sinks, five stalls (ADA compliant)
- Spacious restrooms with weekend restroom attendants

# Interior Expansion Remodel

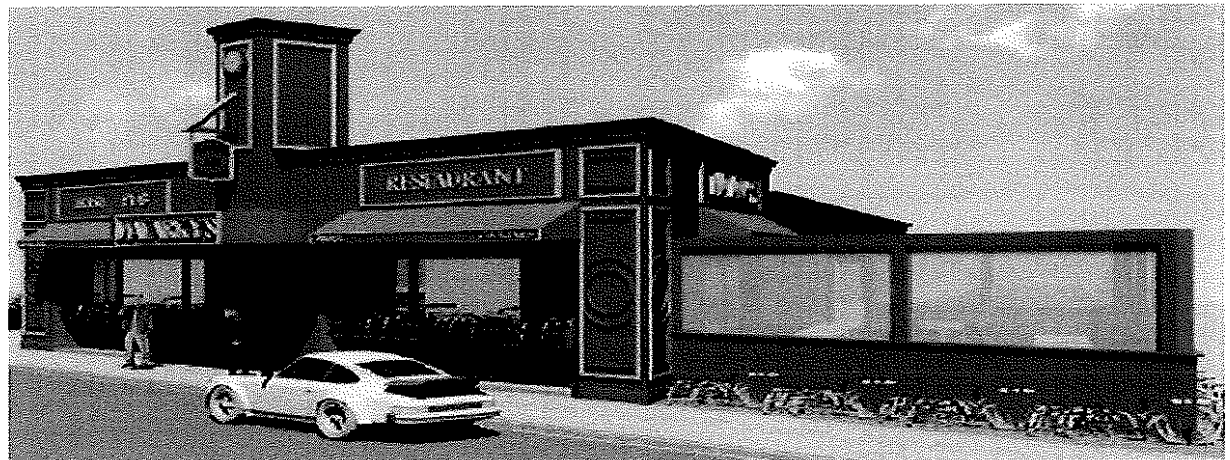
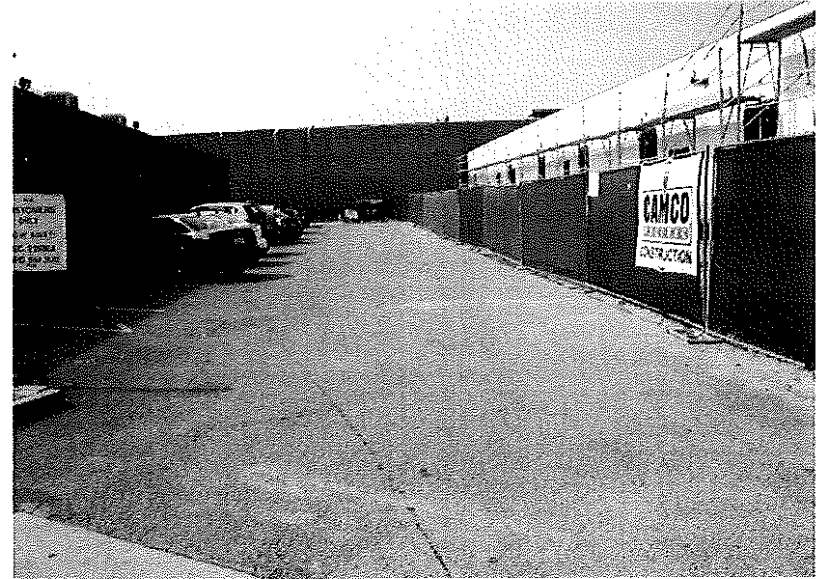
- 565sq.ft. (Size of a large two car garage)
- Fixed dining booth and table except for two tables (to accommodate larger parties)
- Malarky's currently only has one booth



- Attract a higher end dining clientele
- Diners prefer fixed booth section
- Constructed with high quality distressed wood and fixtures

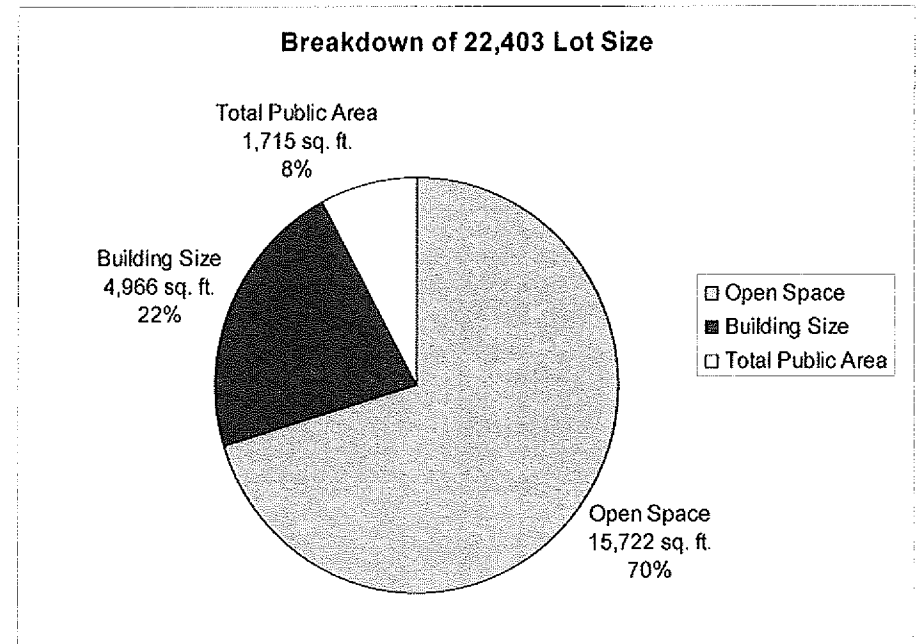
# Outdoor Dining Patio

- 11pm Closing time
- Average dining experience is 2 hours
  - Allows 8:30p.m. – 9:00p.m. seating
- 9 foot glass enclosure
- Surrounded by two 25 feet and one 18 foot wall



# Total Net Public Area

- Proposed Total Net Public Area after 11pm is 1,715 sq. ft.
- This is a *modest* improvement
- In restaurant or bar terms 1,715 sq. ft. is considered *small*
- The existing building size is 4,966 sq. ft.
- The proposed Net Public Area is only 34.5% of the existing building size after 11pm (compared to current 23.1% Net Public Area)
- 34.5% is a *very low* ratio of Net Public Area



# Signage



The building is centered on the property, leaving three sides visible from the street (compared to a store-front in a strip mall.)

The proposed signage takes into consideration:

- The uniqueness of the property
- Authentic and traditional Irish Pub architecture
  - I traveled to Ireland specifically to research traditional Irish Pub architecture and how it may apply to this project
- Neighborhood involvement
- Community Beautification



# New Security Plan

- All security staff will be State of California Guard Card Certified
- Require a set amount of security staff, with a ratio of 1 security staff for every 50 persons
- Require radio headsets to communicate
- Have bathroom attendants on weekend nights
- Parking lot attendant on weekend nights til 3am
- Keep a daily log of activities
- All bar and service employees will be State of California LEAD Class Certified

# CUP Comparison

Conditions of Approval	OLD CUP	NEW CUP
1. Operator's License issued by Police Chief	No	Yes
2. Security Plan	No (* But current one was implemented by new management)	Yes
3. Parking Lot Attendant	No	Yes
4. Guard Card Certificate for Security Employees	No	Yes
5. ADA Bathroom	No	Yes
6. Grease Interceptor	No	Yes
7. Fire Sprinklers	No	Yes
8. Emphasis on Restaurant Quality	No	Yes
9. ABC Training for Management	No	Yes
10. "Outside Promoter" Restriction	No	Yes
11. Happy Hour Restriction	No	Yes
12. Four Dedicated Taxi Spaces on Friday and Saturday Night	No	Yes
13. One Year Review by Planning Commission	No	Yes

# Letter of Recommendation

- Recommended by a former Police Captain and 30 year veteran of the Fullerton Police Dept., responsible for coordinating police/community/business interaction, as specifically related to Downtown Fullerton
- “The success of any police/community effort relies upon the character and commitment of its City, community and business leaders; Mario Marovic is such a leader.”
- “The Matador opened its doors in early 2009 and has been a cornerstone for stability in the Downtown ever since.”
- “Mario has lived up to his promises and exceeded expectations both personally and professionally in the Downtown business community.”

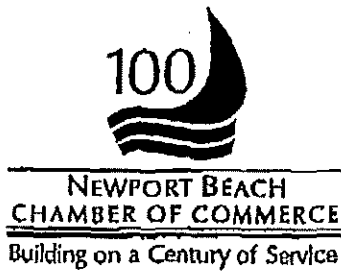
# Track Record

- Co-founder of the Newport Beach Bar and Tavern Association in conjunction with NBPD
- Owns three type 48 licenses in two different cities, as well as three type 47 licenses
- No ABC violations
- Employ 200 people at six locations, in three cities with strong ties to each community

**BETTER FACILITY = BETTER DEMOGRAPHIC**

# Letters of Support





February 22, 2011

Mr. Robert Hawkins, Chairman  
Newport Beach Planning Commission  
3300 Newport Blvd.  
Newport Beach, CA 92663

RE: Malarky's Irish Pub

Dear Mr. Hawkins:

It is with great pleasure that the Newport Beach Chamber of Commerce writes a letter of support for the proposed remodel of Malarky's Irish Pub located at 3011 Newport Blvd., Newport Beach, CA 92663. The Chamber has always supported investment in our community and this remodel of a well established Restaurant is the right project at the right time.

The owner, Mr. Mario Marovic has a well established record of management in our community as owner of the Landmark Steak House in Corona del Mar since 2004 and the District Bar on the peninsula since 2006. Mr. Marovic has proven to be a responsible restaurant owner with no record of ABC violations or complaints from any of his neighbors.

Malarky's Irish Pub has been a fixture in our community for many years. The proposal adds a quaint outdoor patio area for our residents and visitors to enjoy. The location of the new patio is shielded by surrounding buildings so as to not impede on the quiet enjoyment of the neighbors. With the investment of nearly half million dollars adding a mere 500 square feet of public area including a total rehabilitation of both men's and women's bathrooms along with additional dining areas, this project will be a welcome enhancement to the area for years to come adding additional sales tax component to the City.

The project is also supported by the development of additional parking in the adjacent lot to the south and a reconfiguration and easement agreement from the adjacent property owner to the north making this project adequately parked.

For these reasons the Newport Beach Chamber of Commerce enthusiastically supports this proposed investment in our community and asks the Newport Beach Planning Commission to do the same..

Sincerely

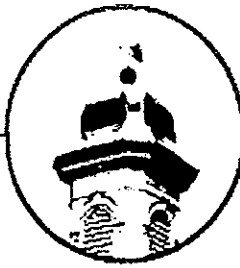
A handwritten signature in black ink, appearing to read 'Richard R. Luehrs', with a long horizontal flourish extending to the right.

Richard R. Luehrs  
President

Cc: Members of the Newport Beach Planning Commission



NEWPORT



ELEMENTARY

SCHOOL FOUNDATION CL.

Malarky's Irish Pub  
3011 Newport Blvd  
Newport Beach, CA 92663

Dear Brent & Mario,

On behalf of Newport Elementary School Foundation, I would like to personally thank you for your generous fundraiser night at Malarky's. Everyone had such a great time! We look forward to doing another event.

Your contribution is essential to the delivery of important programs and resources that enhance our children's educational experience. These are learning opportunities that would not otherwise exist due to state budget cut backs.

We are grateful for your generosity and hope you will take great pride in the important difference that your support makes.

Thank you,

A handwritten signature in cursive script that reads 'Dena Baron'.

Dena Baron

\*Please tell your staff a big "Thank you" from Newport EL!!!

**Newport Elementary School Foundation Board of Directors**

Eric Aust, Trish Bashaw, Dena Baron, Sandi Bulgin, Mary Cappellini, Melissa Chong, John Christensen, Stacy Christensen, Kristin Douglas, Darcy Gassel, Heather Hansberger, Julee Johnson, Laura Keane, Wendy Maddocks, Max Morris, Monica Morton, Aimee Nourse, Alisa Proctor, Michelle Rappoport, Tori Rimlinger, Helen Rotherham, Kathy Sinacori, Shelly Walshe  
Elizabeth Wiley, Matt Wiley

**Thank you again for your generous support!**

Federal Tax ID #33-0756406

## **Murillo, Jaime**

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**From:** Mario Marovic [mario@loungegroup.com]  
**Sent:** Monday, January 03, 2011 4:04 PM  
**To:** Murillo, Jaime  
**Subject:** Letter of Recommendation

Dear Newport Beach Planning Department:

My name is Greg Mayes. I retired last December as a Police Captain from the Fullerton Police Department after almost 30 years of service. During my last few years I was responsible for coordinating police/community/business interaction as it related specifically to Downtown Fullerton. Our Downtown had grown rapidly and many issues arose that challenged the City's ability to balance public safety and perception, with the prosperity of our diverse late night entertainment venues.

My practice was always one of seeking the cooperation and assistance of our Downtown business community in the development of comprehensive strategies to minimize adverse impacts to public safety while fostering a prosperous late night business environment. This process is difficult and requires supportive and participatory business owner/operators. The success of any police/community effort relies upon the character and commitment of its City, community and business leaders; Mario Marovic is such a leader.

In 2008 the Fullerton Downtown had several problem establishments including the business known as Rock-n-Taco. This location was one of the focal points for disorder in the Downtown. In late 2008 Mr. Marovic began negotiations to purchase the business. I had not met Mario prior to becoming aware of his intentions to buy the Rock-n-Taco. Mario and I spoke on several occasions during his negotiations. I placed considerable demands upon him during my discussions and advised him he would be, "under the microscope." He said he understood the concept of consequences. Mario promised a well-managed, well-maintained business with a menu suitable for upscale dining. He advised me he would maintain security during late night hours and that he hoped to become the role-model for restaurant/lounges in the Downtown. He promised to communicate openly and honestly with other community, business and city leaders.

The Matador opened its doors in early 2009 and has been a cornerstone for stability in the Downtown ever since. Mario has lived up to his promises and exceeded expectations both personally and professionally in the Downtown business community. Mario has spearheaded Downtown business efforts in the form of restaurateur collaborations, business/community meetings and city/business efforts. He has been a significant contributor to local charity efforts including the Fullerton Boys & Girls Clubs. He has opened The Matador to fund raising events and used the business as a gathering place for entities such as the Fullerton Chamber of Commerce. Under the oversight of Mario, The Matador has become a signature location in Fullerton's late night entertainment district. Mario has worked, and continues to work, with the Police Department to cooperatively identify issues and form resolutions. Mario is a trusted resource within the community and especially the Fullerton Downtown area.

I cannot compare apples to oranges and do not have the same intimate knowledge of Newport Beach late night venues as I do of Fullerton's Downtown. I can however attest to Mario's character and commitment as it relates to the manner in which he oversees his businesses. His management of The Matador restaurant has brought to the City of Fullerton an enjoyable daytime restaurant, tasteful dining establishment and safe late night gathering place. I hope he is afforded the opportunity to do the same in Newport Beach.

With best regards,

Greg Mayes

December 20, 2010

City of Newport Beach  
Planning Department  
3300 Newport Boulevard  
Newport Beach, CA 92663

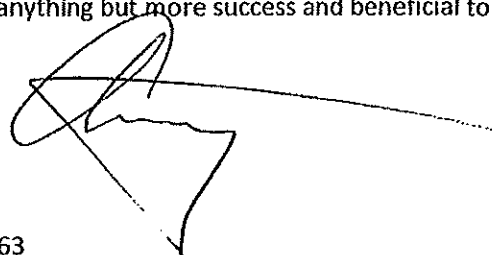
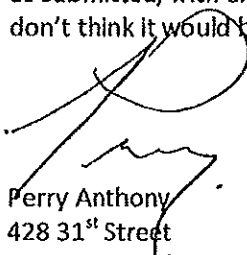
To Whom It May Concern:

I am a 35 year resident of the Balboa Peninsula and patron of the Malarky's Irish Pub. I have gotten to know Mr. Marovic very well since he acquired the business last April. Since Mr. Marovic took over operations at Malarky's, I immediately noticed many positive changes at the business. Some of the changes that took place immediately after Mr. Marovic acquired the business are:

- Implemented an employee training program;
- Improved the menu;
- Hired a full time manager;
- Purchased all new glass and dishware;
- Increased security in the evenings;
- Completed a lot of past due repairs that the previous owner neglected;

Mr. Marovic has also made numerous changes to the exterior of the building, improving its appearance and curb appeal. The entire neighborhood looks better with his outdoor improvements, from the chain link fenced off dirt lot converted to a cleanly paved parking area and the removal of the so-called "weed gardens" on the front of the building into the new streamlined, custom-built flower boxes. Even a simple fresh coat of paint has changed the building tremendously and given it (and the surrounding area) new life.

The Malarky's CUP application is particularly important to me because of my very close proximity to the building; I live a block away. I cannot see that his further renovations would harm the community in any way, only continue to improve our neighborhood. I want to express my support for the CUP application as submitted, with existing hours of operation. I am a very close neighbor and am not affected now, and don't think it would be anything but more success and beneficial to his closest neighbors.



Perry Anthony  
428 31<sup>st</sup> Street  
Newport Beach, CA 92663

March 3, 2011

Dear Newport Beach:

I live about 250 feet from the front door of Malarkys, right down the alley. My master bedroom is on the alley and there was not been one episode where we have been shaken from sleep by a disturbance from the patrons of Malarkys. The noise that we hear is a muffled noise of conversations and laughter.

The place is iconic in Stature and Legend.

As the city redevelops the new shopping center area to make it more attractive for the citizens of Newport and the thousands of visitors that come here and spend their money why can't a successful businessman like Mario take his ideas and improve on the Malarkys brand making it a destination to eat and drink when people come to visit the Peninsula and make it a great place to eat, have a cold beer and meet up with friends for the people who call this area home.

I hope the council will see the win win situation with the improvements made to the shopping center and the updating and modernization of Malarkys as they should complement each other

Paul Reilly  
  
Long time resident

# Emerald Bay Company

December 18, 2010

Frank Kosi  
EMERALD BAY COMPANY  
2824 Newport Blvd  
Newport Beach, Ca. 92663

RE: Malarky's Irish Pub

To Whom It May Concern,

I am writing this letter for the purpose of expressing my support and excitement regarding the proposed improvements to Malarky's Irish Pub, located at 3011 Newport Boulevard in the city of Newport Beach.

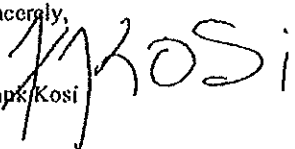
I reside at 2824 Newport Blvd, very close to the Malarky's Irish Pub. I was happy to hear that the proposed improvements to this establishment would include a new upgraded seating area with a fireplace, new restrooms and an outdoor patio for diners. As a real estate investor, I am constantly looking for new and interesting places to entertain clients while conducting business. I first started frequenting Malarky's about fifteen years ago. However, I rarely frequented Malarky's in the past few years because of its deteriorating condition. Since, Mr. Marovic acquired Malarky's last April it has noticeably improved. He cleaned up the dirt lot next to the restaurant and put in a new parking lot. The dirt lot was an eye sore for a long time and I'm happy that he cleaned that up.

With the proposed new dining area, outdoor patio and restrooms the improved Malarky's will definitely be a destination for my family, friends and clients. I look forward to being able to have dinner and drinks at the new Malarky's and enjoying my short walk home.

Please keep me updated on any significant changes or revisions to the submitted CUP application or plans. My friends, family and neighbors intend to support the project as submitted. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

Frank Kosi

A handwritten signature in black ink, appearing to read 'FKOSI', written over the printed name 'Frank Kosi'.

December 16, 2010

Bruce Schoenberger  
408 31<sup>st</sup> Street  
Newport Beach, CA 92663

To Whom It May Concern,

I am writing this letter for the purpose of expressing my complete support regarding the proposed improvements to Malarky's Irish Pub, located at 3011 Newport Boulevard in the city of Newport Beach.

I am a Newport Beach resident for over 25 yeaes, I live at 3800 Channel Place. My 2<sup>nd</sup> Home /Studio, Showin Galleries & Gardens is located directly across the street from Malarky's Irish Pub off the Newport Beach Peninsula at 408 31<sup>st</sup> Street. I am one of the closest properties across the street from Malarky's Irish Pub.

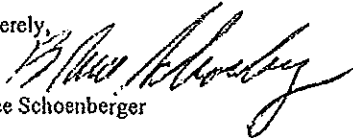
I first met Mr. Marovic when he acquired the business last April. He was kind enough to knock on my door and introduce himself as the new owner of Malarky's Irish Pub. Mr. Marovic has been very open about his plans and even asked me for any input that I may have regarding his project.

I was shocked to hear that Mr. Marovic didn't have complete support of the neighborhood. Especially since acquiring the Malarky's location, Mr. Marovic has already done more to beautify the neighborhood than any other neighbor in close proximity. For example, he took the vacant lot that became a weed garden surrounded by a chain link fence and transformed it into one of the most beautiful parking lots in the entire city.

Since Mr. Marovic acquired Malarky's I have noticed a major improvement to the food and service. I went from rarely frequenting Malarky's for lunch and dinner to eating at the establishment quite often. The new dining area, outdoor patio and restrooms will allow Malarky's to further improve its food and service by attracting a more desirable demographic. I look forward to being able to have dinner and drinks at the new Malarky's with my family, friends and business clientele.

Please keep me updated on any significant changes or revisions to the submitted CUP application or plans. My friends, family and neighbors intend to support the project as submitted! Should you have any questions or concerns, please feel free to contact me at 949-929-2136.

Sincerely,

  
Bruce Schoenberger

## Mario Marovic

---

**From:** Murillo, Jaime [JMurillo@newportbeachca.gov]  
**Sent:** Thursday, March 03, 2011 11:15 AM  
**To:** Mario Marovic  
**Subject:** FW: Regarding Malarkys improvements

FYI...

**From:** Steve Nicholson [mailto:bchnick@pacbell.net]  
**Sent:** Thursday, March 03, 2011 11:10 AM  
**To:** Murillo, Jaime  
**Subject:** Regarding Malarkys improvements

Dear Jaime Murillo,

I am a twenty-three year homeowner at 212 30th Street, right behind the new Landing Shopping Center. My wife and I do not have any issues with Malarky's and their improvements. They have a responsible staff. Mario has made vast improvements to the exterior of Malarky's and the corner of 30th Street and Newport Boulevard. Wow!

We would like to see him continue on with the interior renovations and improvements. I believe a majority of our neighbor's which I keep in contact with are in favor of the improvements and clean up.

We wish Mario much success with his business endeavors. Thank you for your time. I can be contacted at the cell phone below for more information about the neighborhood if needed.

Best regards,

Steven C. Nicholson  
(949) 233-4416

## Mario Marovic

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**From:** Murillo, Jaime [JMurillo@newportbeachca.gov]  
**Sent:** Thursday, March 03, 2011 8:52 AM  
**To:** Mario Marovic  
**Subject:** FW: Malarkys patio issue

-----Original Message-----

**From:** [colinweeks@hotmail.com](mailto:colinweeks@hotmail.com) [<mailto:colinweeks@hotmail.com>]  
**Sent:** Wednesday, March 02, 2011 9:53 PM  
**To:** Murillo, Jaime  
**Cc:** Nikol Weeks  
**Subject:** Malarkys patio issue

Mr. Murillo:

My name is Colin Weeks, and I have lived at 214 30th Street for the past 5.5 years. I live 2 houses over from the Albertsons (Pavillion) and Malarkys parking lot, and directly across the street from Mr. Drew Wetherhold.

In the past 5.5 years, I have never had an issue with Malarkys, its staff or its patrons. I am writing this letter to make sure that the City of Newport Beach knows that Mr. Wetherhold's letter opposing the outdoor patio initiative DOES NOT represent neither my view nor that of my wife. In fact, I believe that Mr. Wetherhold's letter solely represents his own personal agenda. I sincerely believe that Mr. Wetherhold's opinions are not shared by the majority of his neighbors, and I encourage you to speak with all of them.

Mr. Wetherhold decided to built a house on a lot attached to a retail parking lot, and since that time he has tried to force Albertsons, and now, Malarkys to cater to his own personal agenda and make they cave into his demands.

Not only has Malarkys been a great neighbor and Newport Beach institution, but its recent cosmetic additions to the facade and new parking lot have made the 30th Street neighborhood even nicer. I think it is sad that people waste taxpayer time and money to manipulate the system to meet personal agenda.

I am happy to discuss this matter in any level of detail, in any venue - public or private.

Sincerely,

Colin S. Weeks  
(949) 500-3512



## Mario Marovic

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**From:** Murillo, Jaime [JMurillo@newportbeachca.gov]  
**Sent:** Thursday, March 03, 2011 8:52 AM  
**To:** Mario Marovic  
**Subject:** FW: Malarkeys Restaurant

-----Original Message-----

**From:** Bill [<mailto:guiderodesign@att.net>]  
**Sent:** Thursday, March 03, 2011 7:23 AM  
**To:** Murillo, Jaime  
**Subject:** Malarkeys Restaurant

Planning Commission

Re: expansion of existing restaurant

I'm a local resident in Newport Beach for 40 years.  
All of the 40 years on the peninsula. I also have my own architectural design business on  
30th Street for approximately 20 years.

Malarkey,s has always been a upstanding establishment in our community.  
I either ride my bike or drive by Malarkey's every morning on my way to work.  
The grounds surrounding the restaurant is always in pristine condition.  
I've enjoyed the food and sporting events since they have opened in the 70's.  
I'm in total support for the expansion of the restaurant.

Thank you Bill Guidero

William Guidero planning and design  
425. 30th Street suite#23  
Newport Beach, California 92663  
[guiderodesign@att.net](mailto:guiderodesign@att.net) (949) 675-2626

Sent from my iPad

1529 Miramar Drive  
Balboa, CA 92661

March 2, 2011

Mr. Earl McDaniel  
Chairman  
Planning Commission  
City of Newport Beach  
3300 Newport Boulevard  
City of Newport Beach, California 92663

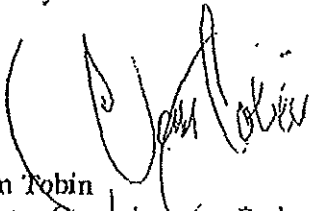
RE: Support for Malarkys Project

Dear Mr. McDaniel:

Last night my wife and I had a great prime rib dinner at Malarkys at their Tuesday night "prime rib" special. For many years I have been a loyal customer of Malarkys. The new owner, Mario Marovic, is making the premises and food even better.

Mario has also done a great job cleaning up the parking lot and building. I support his modest request for additional dining room space and an outdoor patio. When he attracts a higher clientele, I just hope he doesn't raise the prices too much.

Thank you.

A handwritten signature in black ink, appearing to read "Tom Tobin", written over a circular stamp or mark.

Tom Tobin  
Former Commissioner, Parks, Beaches and Recreation Commission  
Peninsula resident

**Murillo, Jaime**

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**From:** Ted Mortenson [ted.mortenson@sbcglobal.net]  
**Sent:** Sunday, February 27, 2011 2:52 PM  
**To:** emcdaniel@sunwestbank.com; Murillo, Jaime  
**Cc:** 'Louise Fundenberg'; dwetherholt@marcusmillichap.com  
**Subject:** My Feedback regarding fellow resident Wetherholt and the FW: STOP MALARKY'S BAR EXPANSION-THIS DOES IMPACT YOU

FYI –

Following is a copy of my reply to Louise Fundenberg's e-mail regarding Mr. Wetherholt's issues surrounding about his problem with intoxicated people in Newport Beach..... and Malarky's interest in expanding its business. Mr. Wetherholt seems to be one of those people who want to control the rights of others including restricting business owners even more than unfortunately they already are.

Thank you,

Ted Mortenson

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**From:** Ted Mortenson [mailto:ted.mortenson@sbcglobal.net]  
**Sent:** Sunday, February 27, 2011 2:36 PM  
**To:** 'Louise Fundenberg'  
**Subject:** RE: STOP MALARKY'S BAR EXPANSION-THIS DOES IMPACT YOU

Dear Mr. Wetherholt,

Yes, this does impact me even though I have only set foot in Malarky's once in the last 30 years. In fact it pisses me off. Pardon my frankness, but who should care what you think regarding your desired size of Malarky's building? Every American business owner still has a right to improve or otherwise make larger his property if he so chooses (existing building codes notwithstanding). They don't have to please you!

If you have a problem with drunk people, you need to address that directly and honestly instead of masking your intentions. You should know, there are tried and true legal avenues currently enforceable on the owners of restaurants or bars regarding intoxicated customers. Your concern seems to be Malarky's bartenders continue to serve alcohol to drunk patrons & customers... or otherwise attract drunk patrons - right?

Well, regardless of your true intention(s), you have no moral or legal right to limit the size of Malarky's physical building other than what is designated by current CA and NB codes. I wish people like you would deal more appropriately, more honestly and according to existing law with your individual concerns regarding others. Or, go ahead and try to change the law so that you and your 'friends' can decide how big Malarky's building should be, or even exist at all. That would solve your "additional 100+ intoxicated individuals" concern wouldn't it?

And thank you for pointing this out though so that I can let my opinion support current recommendations for approval.

Respectfully,

Ted Mortenson

---

**From:** Louise Fundenberg [mailto:pier2pier@yahoo.com]  
**Sent:** Sunday, February 27, 2011 11:22 AM

## Mario Marovic

---

**From:** George Leeper [gcleeper@gmail.com]  
**Sent:** Sunday, February 27, 2011 4:33 PM  
**To:** Mario Marovic  
**Subject:** Marlarky's

Mario,

Judy and I have no objections to Marlarky's remodel and expansion.  
We live at 419 30th St and can see the place from our bedroom.  
We are happy with your management and will support you any way we can.

If I can be of any further help, please feel free to call.

George Leeper  
419 30th St  
Newport Beach, Ca

949 723 5333

***Caren Lancone  
1900 W. Oceanfront  
Newport Beach, CA 92663***

March 1, 2011

Mr. Earl McDaniel  
Chairman  
Planning Commission  
City of Newport Beach  
3300 Newport Boulevard  
City of Newport Beach, California 92663

RE: Support for Malarkys Project

Dear Mr. McDaniel:

As a peninsula resident and Newport Beach businesswoman I am writing to express my support for the Malarkys expansion.

My business, B Scene Advertising, does advertising, event planning, public relations and other related services. We run charity and promotional events for entities such as The Real Housewives of Orange County and the Miss Newport Beach Pageant. I have trouble finding quality venues large enough to accommodate the 12 pre-events and main event. We also like to use different facilities so as to have variety and not the same place every time.

After the remodel, Malarkys would be a perfect location for us to hold a pre-event for the Miss Newport Beach Pageant or a promotional event for the Real Housewives.

Driving down Newport Boulevard I have seen the new landscaped parking lot and improved exterior of the building which is definitely an improvement to the peninsula. I believe the addition of the outdoor dining patio and indoor remodel/expansion will raise the level of clientele of Malarkys. This is good for everyone. All ships rise with an incoming tide.

I do think the outdoor patio should be allowed to stay open till at least 11:00 p.m. In the summer time especially I enjoy a late dinner with friends after work or on the weekend.

Please vote to approve the Malarkys project. Thank you.

Caren Lancome

Brent Ranek  
246 Lugonia St  
Newport Beach, CA 92663  
(949)650-2708

Date: December 20, 2010

To: CNB Planning Department  
From: Brent Ranek  
Re: Malarky's Restaurant

To Whom It May Concern;

I have lived and worked in the city of Newport Beach for over thirty years. I bought my first home in 1986, which I still own and rent while maintaining my primary residence also in the city. The main reason I invested in the city of Newport Beach was because of its beauty and status. These investments have held their own in this troublesome market. And I believe it is because the way this city maintains a high level of standards.

When I was asked by Mario Marovic, the new owner of Malarky's Irish Pub to write a letter on his behalf I was shocked to hear their was some reluctance by the city to have him make improvements to the property, while maintaining the existing hours of operation. For years I have driven by Malarky's and seen old washed out green awnings and a weed covered empty lot next door. I do know quite a bit about the property because at one time I approached the previous owner about buying the property. The dilapidated lot next door has been sitting empty for almost 17 years now. And now it is so nice to see that it has finally been landscaped and set up for parking.

Malarkys has been a local landmark for over 30 years now and any upgrades to this facility are long over due. Mario Marovic is a "get it done" type of businessman who has already proved with his other two businesses in the city that he uses sound judgment when it comes to improving property's. Landmark Steakhouse and The District Lounge are excellent examples of how simple upgrades can turn an average establishment into a profitable, destination "Hot Spot" that benefit all involved.

Brent Ranek  
246 Lugonia St  
Newport Beach, CA 92663  
(949)650-2708

The fact that Mario is willing to put forth his own effort and capital to make these improvements to another restaurant in this city, to me seems that he is dedicated to making this a better city to live and work in. These improvements will benefit the city by increasing revenues and the new menu and chef that Mario has provided at Malarky's Restaurant gives all of us another option for dinner.

As a multiple home owner and past restaurant owner in the City of Newport Beach, I would trust this very successful businessman and allow him to make these necessary changes and improve another existing establishment in the City of Newport Beach.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Ranek", with a long horizontal flourish extending to the right.

Brent Ranek



Southern California Division  
ARCTIC GLACIER INC.

December 17, 2010

Andrew Gabriel  
419 Evening Star Lane  
Newport Beach, CA 92660

To Whom it May Concern:

My name is Andrew Gabriel and I am a third generation Newport Beach resident. I grew up in the city of Corona Del Mar and currently own a home in Dover Shores. My family owns residences throughout the Newport Beach area, including the Newport Beach Peninsula.

At one time, I was a frequent customer at Malarky's Irish Pub. In the past few years, I have not spent a great deal of time on the Peninsula or at Malarky's. However, since Mr. Marovic took over operations last April, it has given me an opportunity to rediscover the Malarky's Irish Pub. The few changes that have been made at this location have been great. I look forward to supporting his CUP Application and plans.

Please keep me posted on the progress of the currently submitted CUP application and plans. I intend to support the CUP application.

Thank you for your time and consideration..

Sincerely,



Andrew Gabriel



# Marcus & Millichap

Real Estate Investment Services

19800 MacArthur Blvd.  
Suite 150  
Irvine, CA 92612  
Tel: (949) 419-3200  
Fax: (949) 419-3210  
www.MarcusMillichap.com

December 17<sup>th</sup>, 2010

Nathan Holthouser  
126 41<sup>st</sup> Street  
Newport Beach, CA, 92663

Re: CUP Application for Malarky's Irish Pub, located at 3011 Newport Boulevard

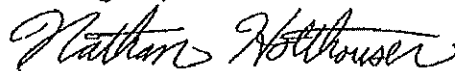
To Whom it may concern,

I reside on the Newport Beach Peninsula. I had an opportunity to review the CUP application and plans submitted for the Malarky's Irish Pub. I am in complete support of the proposed application and plans.

I am a real estate broker for Marcus & Millichap. I entertain clients while conducting business regularly in the City of Newport Beach. I have personally listed and sold multiple commercial properties in Newport Beach and other coastal Orange County cities. The proposed improvements to the Malarky's Irish Pub will make Malarky's a desirable place for me to frequent for both business and pleasure. The new dining area, outdoor patio and restrooms will allow Malarky's to improve its target demographic and compete with other top tier venues. I am very pleased with the improvements that have been done already to the adjacent parking lot, and I look forward to the positive impact that the new improvements to Malarky's will have on the Newport Beach Peninsula.

Please keep me updated on any significant changes or revisions to the submitted CUP application or plans. My friends and neighbors intend to support the project as submitted. Should you have any questions or concerns, please feel free to contact me.

Best Regards,



Nathan Holthouser  
Associate

December 15, 2010

To The City of Newport Beach Planning Department and Police Department:

My name is Gregory Ozimec. I am a 20-year Newport Beach resident and home owner, with two children in the local schools. I wanted to take the time to express my support for the proposed plans at 3011 Newport Boulevard, otherwise known as Malarky's Irish Pub.

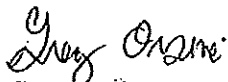
I am very happy with the changes that have already taken place, especially the new paint job, façade improvements and new parking lot. I have reviewed the blueprints for Malarky's planned new restrooms and dining area, and I am in complete support of the Malarky's Irish Pub's further improvements, as are many of my friends and neighbors.

I often times ride my bicycle to Malarky's to meet friends for dinner and drinks, and feel that the additional parking recently provided by Malarky's amply supports the planned new dining room. We are looking forward to the new improved Malarky's.

By approving the Malarky's CUP application the city will allow Malarky's to create a facility that will cater to an upscale demographic. Please keep me informed of any substantial changed to the proposed CUP application. I intend to support the proposed plans and use as submitted.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Gregory Ozimec".

Gregory Ozimec  
315 Canal Street  
Newport Beach, CA 92663

# Marcus & Millichap

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Real Estate Investment Services

19800 MacArthur Blvd.  
Suite 150  
Irvine, CA 92612  
Tel: (949) 419-3200  
Fax: (949) 419-3210  
www.MarcusMillichap.com

December 17, 2010

Brin Hamblin  
20362 Santa Ana Ave. #13  
Newport Beach, CA 92660

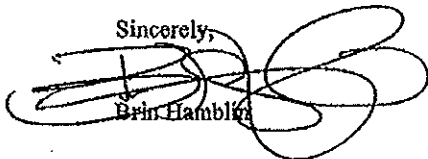
To Whom It May Concern,

I am writing this letter for the purpose of expressing my support for the proposed CUP application for Malarky's Irish Pub, at 3011 Newport Boulevard, Newport Beach.

I recently moved to Newport Beach from Indiana and have been to Malarky's quite a few times. It reminds me, a lot, of places back home and I feel it's a perfect spot for the proposed plans. I was informed of the new design by colleagues of mine and think they would be able to compete well with other area venues. I find that in my recent move here, there aren't as many true to form outdoor dining places as I would've expected. And these plans would allow for Malarky's to hold more people both indoors and out, whether it be for dining or night life.

I am completely in support of the project as submitted. Should you have any questions or concerns, please feel free to contact me.

Sincerely,



Brin Hamblin

# Marcus & Millichap

Real Estate Investment Services

19800 MacArthur Blvd.  
Suite 150  
Irvine, CA 92612  
Tel: (949) 419-3200  
Fax: (949) 419-3210  
www.MarcusMillichap.com

December 17<sup>th</sup>, 2010

Daniel Blackwell  
126 41<sup>st</sup> Street  
Newport Beach, CA, 92663

Re: CUP Application for Malarky's Irish Pub, located at 3011 Newport Boulevard

To Whom it may concern,

I reside on the Newport Beach Peninsula. I had an opportunity to review the CUP application and plans submitted for the Malarky's Irish Pub. I am in complete support of the proposed application and plans.

I am a real estate broker for Marcus & Millichap. I entertain clients while conducting business regularly in the City of Newport Beach. The proposed improvements to the Malarky's Irish Pub will make Malarky's a desirable place for me to frequent for both business and pleasure. The new dining area, outdoor patio and restrooms will allow Malarky's to improve its target demographic and compete with other top tier venues.

Please keep me updated on any significant changes or revisions to the submitted CUP application or plans. My friends and neighbors intend to support the project as submitted. Should you have any questions or concerns, please feel free to contact me.

Best Regards,

  
Daniel Blackwell  
Associate

# Marcus & Millichap

Real Estate Investment Services

19800 MacArthur Blvd.  
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Irvine, CA 92612  
Tel: (949) 419-3200  
Fax: (949) 419-3210  
[www.MarcusMillichap.com](http://www.MarcusMillichap.com)

December 17<sup>th</sup>, 2010

Shane McConnell  
1167 Campanile  
Newport Beach, CA, 92660

Re: CUP Application for Malarky's Irish Pub, located at 3011 Newport Boulevard

To Whom it may concern,

I reside in the city of Newport Beach. I had an opportunity to review the CUP application and plans submitted for the Malarky's Irish Pub. I am in complete support of the proposed application and plans.

I am a real estate broker for Marcus & Millichap. I entertain clients while conducting business regularly in the City of Newport Beach. The proposed improvements to the Malarky's Irish Pub will make Malarky's a desirable place for me to frequent for both business and pleasure. The new dining area, outdoor patio and restrooms will allow Malarky's to improve its target demographic and compete with other top tier venues.

Please keep me updated on any significant changes or revisions to the submitted CUP application or plans. My friends and neighbors intend to support the project as submitted. Should you have any questions or concerns, please feel free to contact me.

Best Regards,



Shane McConnell  
Senior Associate

# Marcus & Millichap

Real Estate Investment Services

19800 MacArthur Blvd.  
Suite 150  
Irvine, CA 92612  
Tel: (949) 851 - 3030  
Fax: (949) 833 - 0701  
[www.MarcusMillichap.com](http://www.MarcusMillichap.com)

December 17, 2010

Mark Bridge  
1433 Superior Ave #142  
Newport Beach, CA 92663

To Whom It May Concern,

I am writing this letter for the purpose of expressing my support for the proposed CUP application for Malarky's Irish Pub, located at 3011 Newport Boulevard in the city of Newport Beach.

I reside in Newport Beach. I had an opportunity to review the CUP application and plans submitted for the Malarky's Irish Pub, I am in complete support of the proposed application and plans.

I am a real estate broker for Marcus & Millichap. I entertain clients while conducting business on a regular basis. The proposed improvements to the Malarky's Irish Pub will make Malarky's a desirable place for me to frequent for both business and pleasure. The new dining area, outdoor patio and restrooms will allow Malarky's to improve its target demographic and compete with other top tier venues.

Please keep me updated on any significant changes or revisions to the submitted CUP application or plans. My friends and neighbors intend to support the project as submitted. Should you have any questions or concerns, please feel free to contact me.

Sincerely,



Mark Bridge

# Marcus & Millichap

## Real Estate Investment Services

Scott G. Hook  
*First Vice President Investments*

*Senior Director  
National Retail Group*

December 17, 2010

To Whom It May Concern,

I am writing this letter for the purpose of expressing my support for the proposed CUP application for Malarky's Irish Pub, located at 3011 Newport Boulevard in the city of Newport Beach.

I reside in the Harbor View Community of Newport Beach. I had an opportunity to review the CUP application and plans submitted for the Malarky's Irish Pub. I am in complete support of the proposed application and plans.

I am a real estate broker for Marcus & Millichap. I entertain clients while conducting business on a regular basis. The proposed improvements to the Malarky's Irish Pub will make Malarky's a desirable place for me to frequent for both business and pleasure. The new dining area, outdoor patio and restrooms will allow Malarky's to improve its target demographic and compete with other top tier venues.

Please keep me updated on any significant changes or revisions to the submitted CUP application or plans. My friends and neighbors intend to support the project as submitted. Should you have any questions or concerns, please feel free to contact me.

Sincerely,



Scott Hook

19800 MacArthur Blvd.  
Suite 150  
Irvine, CA 92612.  
Dir: (949) 419-3224  
Fax: (949) 419-3343  
[www.MarcusMillichap.com](http://www.MarcusMillichap.com)

Investment Sales ♦ Financing ♦ Research ♦ Advisory Services

Frank R. Fasel  
P: (714) 966-2008  
F: (714) 876-6397  
frf@faselnefulda.com

Thomas A. Fasel  
P: (714) 966-2008  
F: (714) 876-6397  
taf@faselnefulda.com

Jordan B. Nefulda  
P: (714) 966-2008  
F: (714) 876-6397  
jbn@faselnefulda.com

**Fasel  
Nefulda  
LLP**

Fasel Fasel & Nefulda LLP (US)  
www.faselnefulda.com

Orange County  
3200 Bristol Street, Suite 615, Costa Mesa, CA 92626  
Los Angeles and Long Beach  
One World Trade Center, Suite 800, Long Beach, CA 90831

December 20, 2010

City of Newport Beach  
Planning Department  
Attn: Jalme Murillo  
3300 Newport Boulevard  
Newport Beach, CA 92663

Re: Improvements to Malarky's Irish Pub

Dear Ms. Murillo,

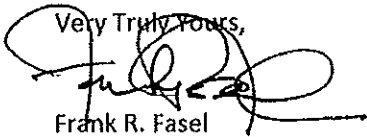
I am a current resident of Balboa Peninsula and a local restaurant patron. Recently, Malarky's, located a block from my house, dramatically transformed the previous unsightly street corner of 30th and Newport Boulevard to an attractive restaurant destination through the addition of a new parking lot, planters and landscaping, eye-catching exterior paint, and a newly enhanced entrance. However, improvements to the site need not and should not stop at this "first phase" of redevelopment.

I have thoroughly reviewed Malarky's "phase two" improvement and remodel plan which include a new outdoor dining area, an expansion and remodel of the in-door dining area, the use of valet parking, while maintaining the current hours of operation for the entire venue. Contrary to the opinions of a few misinformed residents, I am certain that the proposed improvements will NOT be a nuisance to the surrounding area but instead greatly benefit the City of Newport Beach, its residents and visitors by:

1. Generating taxable revenue for the City;
2. Creating an attractive retail/restaurant district; and
3. Attracting sophisticated clientele.

For the aforementioned reasons, I would like to express my unequivocal support for ALL of the proposed improvements to Malarky's. Additionally, I urge you, on behalf of the City of Newport Beach Planning Department, to approve the current set of plans in their present form and immediately issue a building permit to Malarky's ownership so that they may begin "phase two" construction.

Very Truly Yours,

  
Frank R. Fasel  
Partner



# **Attachment No. PC 8**

Correspondence in Opposition



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: STEVE NICHOLSON Signature: Steve E. Nicholson

Address: 212 BOA STREET

City: NEWPORT BEACH Zip: 92662

Home Phone: 949 675-6939 Cell Phone: 949-233-4416

E-Mail Address: bchnick@pacbell.net

Question / Comments: Looks good. KEEP UP THE GOOD WORK AND  
improvements.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JOE CERRASIO Signature: [Signature]

Address: 209 30th ST

City: N.B. C.A. Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 9. 929. 6977

E-Mail Address: JOECERRASIO@GMAIL.COM

Question / Comments: GIVE THE BAR/REST. OWNERS  
A CHANCE BE SUCCESSFUL. GIVE THE  
COMMUNITY A CHANCE TO ENJOY THESE  
LOCAL ESTABLISHMENTS!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: BRAD JACOBSEN Signature: Brad Jacobsen

Address: 219 1/2 PROSPECT ST.

City: NEWPORT BEACH, CA Zip: 92663

Home Phone: (949) 650-5749 Cell Phone: 949 285-6300

E-Mail Address: bdjac@yahoo.com

Question / Comments: The city of Newport will  
definitely benefit from these improvements.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Dave Vincent Signature: [Signature]

Address: 128 1/2 42nd Str.

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 860-227-6157

E-Mail Address: Dave.Vincent1@gmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Adrianna Rada Signature: Adrianna Rada

Address: 3410 1/2 Marcus Ave

City: Newport Beach, CA Zip: 92663

Home Phone: N/A Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: I support the project! I love the plans!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: KEITH DAVIDSON Signature: owner/president Malarky's

Address: 3012 NEWPORT BLVD

City: NEWPORT BEACH Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 310-318-4983

E-Mail Address: \_\_\_\_\_

Question / Comments: I completely support the

project at Malarky's.  
Great Idea!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: ALI RABBANI / Ali Rabbani

Address: 1976 NEWPORT BLVD

City: COSTA MESA Zip: 92627

Home Phone: 949-645-8384 Cell Phone: 949-331-4101

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Nicole Schmitz Signature: Nicole Schmitz

Address: 1658 Marguerite Ave

City: Corona del Mar, CA Zip: 92625

Home Phone: \_\_\_\_\_ Cell Phone: 909 851 4126

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Kelly Banks Signature: Kelly Banks  
Address: 111 27th Street New KB  
City: Newport Beach Zip: 92663  
Home Phone: 949 - 307-0906 Cell Phone: None  
E-Mail Address: \_\_\_\_\_

Question / Comments: As a resident, I feel that the expansion plan will only improve the quality and benefit the patrons. There is no logical reason why this improvement should not be supported. It will only support and improve



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Asia Fellows Signature: [Signature]  
Address: 111 27th St.  
City: NB, CA Zip: 92663  
Home Phone: (91) 233.1377 Cell Phone: [Blank]  
E-Mail Address: afellows@volcom.com

Question / Comments: As a resident, i feel this expansion  
is a value to the community! ... its a landmark!  
We should allow & support existing businesses to  
improve!! It only adds value-add to Newport beach!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Nathan Mulhern Signature: [Signature]

Address: 610 Clubhouse Ave

City: Newport Beach Zip: 92663

Home Phone: 949-270-6400 Cell Phone:

E-Mail Address: nbmulhern@hotmail.com

Question / Comments: Upgrading from a "party bar" to a meeting place with great food and upgraded facilities will only enhance the appeal of the restaurant itself as well as the surrounding neighborhood.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: DOANE BRAUN Signature: Doane A. Braun

Address: 3503 Seashore Rd

City: Newport Beach Zip: 92663

Home Phone: 9548-9495 Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I, Douglas Cianfrocca, at 2508 W. Oceanfront Newport Beach 92663, approve of the Malarky's Expansion and everything Mario Marovic has done in Newport Beach.

Phone 949-269-0178.

2-27-11

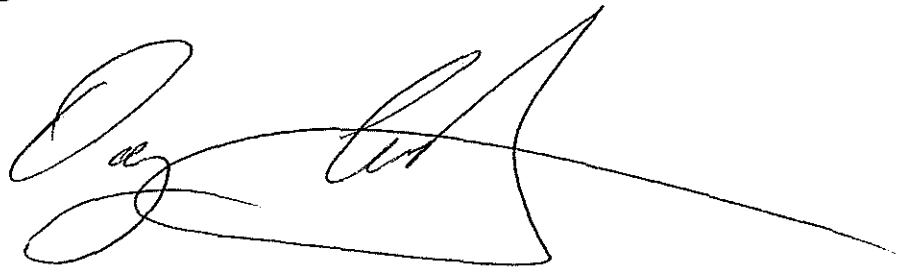
See attached hand written and executed petition.

I Douglas P. Caspaccio @

2588 W. Oceanfront N.B. Calif.

92663. Ph # (714) 269-0178.

I approve of Marovick's  
expansion and everything Marv's  
Marovick has done in  
Newport Beach.



2/27/11



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Addy Haga Signature: Addy Haga  
Address: 3206 West oceanfront  
City: Newport <sup>Beach</sup> CA Zip: ~~92666~~ 92663  
Home Phone: 253 441-0980 Cell Phone: same  
E-Mail Address: adrianna.haga@bbr@gmail.com  
Question / Comments: I support the project + expansion. I love  
Malarky's





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Megan Pacher Signature: Megan Pacher

Address: 200 E 15th Street

City: Newport Beach Zip: 92663

Home Phone:  Cell Phone: 618-973-1170

E-Mail Address: mpacher@sive.edu

Question / Comments: I support the project & the  
expansion! I love Malarky's



- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

Question / Comments: I support the project & expansion.  
I love Malachys



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Jenna Rada Signature: Jenna Rada

Address: 3410 1/2 Marcus Ave

City: Newport Beach, CA Zip: 92663

Home Phone: N/A Cell Phone: 781-392-4063

E-Mail Address: N/A

Question / Comments: I support the project and  
look forward to the new improvements



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Anna Buchta Signature: Anna Buchta

Address: 3410 1/2 Marcus Ave

City: Newport Beach, CA Zip: 92663

Home Phone: N/A Cell Phone: 603-801-4304

E-Mail Address: annabuchta@mail.un.edu

Question / Comments: I support the project + look forward to the improvements!




# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: ~~Matthew Anderson~~ Matt Anderson Signature: 

Address: 27112 32nd St

City: NB Zip: 92603

Home Phone: Cell Phone: 91412 1432

E-Mail Address:

Question / Comments: I support the project and look forward to the expansion.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Luke Martin Signature: [Signature]

Address: 909 3/4 W Balboa Blvd

City: Newport Beach Zip: 92661

Home Phone: 949 698-2040 Cell Phone: Same

E-Mail Address: luke.martin@mac.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Brian Roades Signature: Brian Roades

Address: 21712 32nd St

City: N.B. Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: (818) 383 9141

E-Mail Address: \_\_\_\_\_

Question / Comments: I support the project & look forward to the expansion!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
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- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Miles Smith Signature: [Signature]

Address: 5207 A Seashore Dr.

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 954 543 2577

E-Mail Address: ISUREDFP@kaho.com

Question / Comments: I support the project & look forward to the new additions.

\_\_\_\_\_  
\_\_\_\_\_





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: McCall Miller Signature: [Signature]

Address: 21 Barlento

City: Newport Beach Zip: 92663

Home Phone: 0 Cell Phone: 91412-1432

E-Mail Address: millermk@uci.edu

Question / Comments: I support the project and I look forward to the expansion

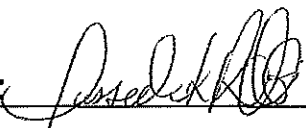


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I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Cassandra Rovetti Signature: 

Address: 2608 W. Oceanfront

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: (909) 709-9402

E-Mail Address: cassandrakr@gmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Lindsay Shumway Signature: \_\_\_\_\_

Address: 3410 1/2 MARCUS Ave

City: Newport Beach, CA Zip: 92663

Home Phone: N/A Cell Phone: 603-205-2399

E-Mail Address: N/A

Question / Comments: I support the project +  
can't wait for the new improvements



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Mark Morton Signature: ME [Signature]

Address: 517 Orange Ave

City: Newport Beach Zip: 92663

Home Phone: 949 646-8311 Cell Phone: 949 510-8327

E-Mail Address: MMORTON317@yahoo.com

Question / Comments: I have reviewed the plans for the proposed changes and endorse them 100%.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Rebecca Moore Signature: Rebecca Moore

Address: 1706 W. Oceanfront

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 949-701-1034

E-Mail Address: moorebecky76@yahoo.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

Name: William Allen Signature: Wm B Allen

Address: 801 West Bay Ave

City: Np Beach Zip: 92661

Home Phone: \_\_\_\_\_ Cell Phone: 909-891-7148

E-Mail Address: \_\_\_\_\_

Question / Comments: This place needs help  
To clean it up.



Question / Comments: This will be a great improvement → especially the bathrooms!  
An outside patio would add to the NP Beach ambiance.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Rochelle Worthen Signature: Rochelle Worthen

Address: 801 W. Bay Ave

City: Newport Beach Ca Zip: 92661

Home Phone: \_\_\_\_\_ Cell Phone: 714 393-8061

E-Mail Address: saworthen@yahoo.com

Question / Comments: I've been using these bathrooms  
for 30 years. It's time to upgrade.  
An outside patio would be a  
major plus!





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JOHN RHODES Signature: John E. Rhodes

Address: 1727 MIRAMAR DR

City: NEWPORT BEACH Zip: 92661

Home Phone: 675 1605 Cell Phone: 949 439 9039

E-Mail Address: jrsbalboa@juno.com

Question / Comments: FIRST PRIORITY SHOULD BE TO  
UPGRADE THE BATHROOMS.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Chris Morrell Signature: Chris Morrell

Address: 510 1/2 Dahlia Ave

City: CDM Zip: 92625

Home Phone: \_\_\_\_\_ Cell Phone: (949) 278-9646

E-Mail Address: cmorrell@re-assoc.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Kyle Hart Signature: [Signature]

Address: 3115 Villa Way

City: NB Zip: \_\_\_\_\_

Home Phone: (949) 439-2009 Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Dwight A Wilson

Address: 678 W. 19th ST #810

City: Costa Mesa Zip: 92627

Home Phone: 949-574-9212 Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: Please it's a warm friendly place  
to go for young + old. Also safe



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Jessica Haefeltinger Signature: [Signature]

Address: 1741 Tustin Ave, 5C

City: CM Zip: 92627

Home Phone: \_\_\_\_\_ Cell Phone: 949 287 1781

E-Mail Address: JessicaH@hmggroup.com

Question / Comments: Grew up in the area. Truly a welcomed addition to the community.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Robert Haefelfinger Signature: R. Haefelfinger

Address: 1741 TUSTIN AVE, 5C

City: CM Zip: 92627

Home Phone: \_\_\_\_\_ Cell Phone: 949 287 1780

E-Mail Address: ROBERT.HAEFELFINGER@GMAIL.COM

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name:

Andre Luc

Signature:

[Signature]

Address:

2920 Newport Blvd

City:

NEWPORT BEACH

Zip:

92663

Home Phone:

Cell Phone:

949 355 9313

E-Mail Address:

luc@mlbrenco.com

Question / Comments:

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: DOUGLAS A. Thomas, Retired NBPD

Address: 452 Vista Roma

City: Newport Beach, CA Zip: 92660

Home Phone: 949-721-0848 Cell Phone: 949-295-6047

E-Mail Address: stocatt@pacbell.net

Question / Comments: Let's permit Malarky's  
new owners to upgrade the property &  
business to coincide with the

redevelopment of the property(s) at 32nd  
& Newport. Now is the time. (bas)





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: TOM HILL Signature: Tom Hill

Address: 701 LIDO PARK DR NEWPORT BEACH  
MAILING 2052 NEWPORT BLVD #6-161

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: 949 910 1704 Cell Phone: \_\_\_\_\_

E-Mail Address: THILLCO@MSN

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JACK L TENNEY

Address: 4000 HILARIA NEWPORT BEACH CA 92663

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: <sup>949</sup> 285 9185 Cell Phone: <sup>949</sup> 285 9185

E-Mail Address: NONE

Question / Comments: \_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: TOM + CECELIA TOBIN

Address: 1529 MIRAMAR DR

City: NEWPORT BEACH Zip: 92661

Home Phone: 949 673-5666 Cell Phone: 949 307-5666

E-Mail Address: TTOMTOB@YAHOO.COM

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Arlene D. McGuff

Address: 1700 Miramar Dr.

City: Newport Beach, CA Zip: 92661-1410

Home Phone: (949) 623-2265 Cell Phone: (949) 433-8670

E-Mail Address: jimmcguff@gmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: James W. McBuy

Address: 1700 Miramar Dr.

City: Newport Beach, CA Zip: 92661-1410

Home Phone: (949) 673-2265 Cell Phone: (949) 433-8670

E-Mail Address: jimmaguy@gmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: VIRGINIA RIGALI

Address: 1703 E OCEAN BLVD.

City: NEWPORT BEACH CA Zip: 92661

Home Phone: 949 673-7271 Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

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# PETITION

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- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: VIRGINIA TRIGALI

Address: 1703 E OCEAN BLVD.

City: NEWPORT BEACH CA Zip: 92661

Home Phone: 626 236-2947 Cell Phone: 949 500-9686

E-Mail Address: CHARMED1225@yahoo.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Shawn Thayer 

Address: 171 Riverside Ave F-188

City: Newport Beach CA Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 949-678-9100

E-Mail Address: Sand2Surf@gmail

Question / Comments: \_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: CHARLES MARTIN GUAJARDO

Address: 1549 PLACENTIA AVE #220

City: NEWPORT, CA. Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 949-307-0339

E-Mail Address: CHARLES GUAJARDO @ROCKETMAIL.COM

Question / Comments: MALARKYS IS NEWPORT BEACH  
IF YOU WANT TO IMPROVE YOUR CITY  
LET IT HAPPEN



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Michael Paus

Address: 1908 Coast Street

City: Newport Beach, CA Zip: 92663

Home Phone: 321-566-9302 Cell Phone: \_\_\_\_\_

E-Mail Address: pausmichael23@yahoo.com

Question / Comments: 'C'

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\_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Brian T O'Brien

Address: 209 28th St APT A

City: NPB CA Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

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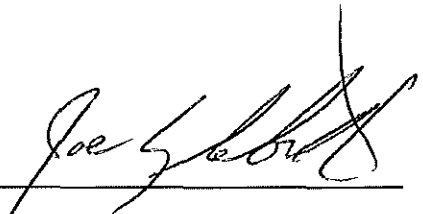


# PETITION

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- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JOE ENGLEBRECHT 

Address: 404 40<sup>th</sup> ST

City: NEWPORT BEACH (Newport Island) Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Gregg Schaeberle

Address: 323 Holmwood

City: Newport Beach Zip: 92663

Home Phone: 949 463 1732 Cell Phone: SAME

E-Mail Address: CALOBSTERZONE@GMAIL.COM

Question / Comments: Please Approve

ASAP



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JONATHAN MARKOVICH

Address: 700 LIDO PARK DRIVE #10

City: NEWPORT BEACH CAL Zip: 92663

Home Phone: 949-675-0930 Cell Phone: 714-742-0845

E-Mail Address: JIMMARKOVICH@AOL.COM

Question / Comments: MARIO IS IMPROVING NEWPORT  
BEACH ONE BAR AT A TIME. HE  
IS AN ASSET TO THE COMMUNITY



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Frank McNaughton

Address: 220 5th St

City: N.P. Ca Zip: 92663

Home Phone: 949-672-5255 Cell Phone: \_\_\_\_\_

E-Mail Address: FrankMc9999@AOL.COM

Question / Comments: About Time !!

\_\_\_\_\_

\_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: GARY JENSEN

Address: 306 33<sup>RD</sup> Street

City: N.B. CA. 9266 Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 951-207-0668

E-Mail Address: garyfjensen@yahoo.com

Question / Comments: \_\_\_\_\_

Can't wait to see what the place will  
look like when done with the remodel





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name:

Leon Ettensperger

Address:

3401 Finley ave

City:

Newport Beach ca

Zip:

92663

Home Phone:

Cell Phone:

(949) 275-5177

E-Mail Address:

LeonEttensperger@yahoo-mail

Question / Comments:

It has a positive out look in the community, tradition, the owners improvement has already Ben great So let improve it more!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
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- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: ARBA SWISHED

Address: 222 20<sup>th</sup> ST

City: NEWPORT BEACH CA Zip: 92663

Home Phone: 949 673 2076 Cell Phone: \_\_\_\_\_

E-Mail Address: JEADARIZA@YAHOO.COM

Question / Comments: LONG TIME RESIDENT AND

CUSTOMER.

CREATES JOBS, REVENUE FOR THE CITY

IMPROVES PROPERTY TAX BASE, AND EXPERTLY MANAGED

FOR MINIMAL DISRUPTION TO PUBLIC SERVICES! AMAL SWISHED



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Greg Williams

Address: 220 33rd St,

City: Newport Beach Zip: 92663

Home Phone: 949-673-3253 Cell Phone: 714-747-0304

E-Mail Address: Vetstuf@aol.com

Question / Comments: I have been frequenting Malarky's since 1979 and since the ownership change the quality of service and food has increased greatly. I look forward to a much overdue remodel and am in full support of the new Management



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JEFF & ROCHELLE MYERS

Address: 1215 W. BAY

City: NEWPORT Zip: 92661

Home Phone: \_\_\_\_\_ Cell Phone: 949-287-3143

E-Mail Address: JEFF@OCRES1.COM

Question / Comments: OK LETS PATIO!

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: SEVIN NOSEK

Address: 108 OLIVE

City: N.B. CA Zip: 92663

Home Phone: 714 642-5508 Cell Phone: \_\_\_\_\_

E-Mail Address: Hopensev@aol.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: MARK LITTLE

Address: 212 1/2 30TH ST

City: NEWPORT BEACH Zip: 92663

Home Phone: 949-887-8653 Cell Phone: N/A

E-Mail Address: N/A

Question / Comments: Good Luck



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Rich RALSTIN

Address: 47 BEACON BAY

City: NEWPORT BEACH CA. Zip: 92663

Home Phone: 714 514-0587 Cell Phone: SAME

E-Mail Address: Rich RALSTIN AT VZW.COM

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Gene Hartline

Address: 1005 Bonnie Doone Terrace

City: CDM Zip: 92625

Home Phone: \_\_\_\_\_ Cell Phone: 949-212-6106

E-Mail Address: g-hartline@hotmail.com

Question / Comments: \_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: DANIEL MARTZ

Address: 4401 RIVER AVE

City: NEWPORT BEACH Zip: 92663

Home Phone: 949 548 8788 Cell Phone: \_\_\_\_\_

E-Mail Address: DMARTZ @ ROADRUNNER.COM

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
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- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Dena Baron

Address: 415 Colton St

City: Newport Beach Zip: 92663

Home Phone: 91722-6017 Cell Phone: \_\_\_\_\_

E-Mail Address: denabaron@yahoo.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Austin Veir

Address: 206 43<sup>rd</sup> St.

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: ~~at~~ austinpveir@yahoo.com

Question / Comments: \_\_\_\_\_

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# PETITION

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- Help dress up Balboa Peninsula image
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- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JOSEPH MAGSACAY

Address: 215 34TH ST.

City: NEWPORT BEACH Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 949-235-9404

E-Mail Address: joemags5@gmail.com

Question / Comments: I FULLY SUPPORT MALARKY'S GROWING TO  
PROVIDE MORE, QUALITY SERVICE TO THE AREA.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: John Wadsworth

Address: 419 Belvue Lane

City: NB Zip: 92661

Home Phone: 949 612 8162 Cell Phone: \_\_\_\_\_

E-Mail Address: John.Wadsworth@colliers.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: BARRY WALSH

Address: 412 LUCANIA ST.

City: NEWPORT BEACH Zip: 92663

Home Phone: (949) 723-8555 Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Clarence Yoshikane

Address: 213 29<sup>th</sup> St

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 714-606-5765

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

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- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Bill and Janice Walker

Address: 627 Via Lido Sound

City: Newport Beach Zip: \_\_\_\_\_

Home Phone: 949 625-1041 Cell Phone: \_\_\_\_\_

E-Mail Address: BWJ2@Hotmail.com

Question / Comments: Love Malarky's they have really been fixing the place up and the food is great!





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Amanda Rockwell

Address: 251 Laguna St

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 949 244-9829

E-Mail Address: rockwell8@aol.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JEFF NORRISINGER

Address: 251 Lugonia street

City: Newport Beach Zip: 92663

Home Phone: 949)650-0254 Cell Phone: 949)244-9833

E-Mail Address: Rockwell@aol.com

Question / Comments: Lets Do this!

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Fred & Jenna Roman

Address: 408 Piazza Lido

City: Newport Beach CA Zip: 92663

Home Phone: 91612. 7489 Cell Phone: 91929. 8314

E-Mail Address: fred.roman@seacoastnational.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: RENE RIMLINGER

Address: 326 62ND ST

City: NEWPORT BEACH CA Zip: 92663

Home Phone: 949/645-2895 Cell Phone: \_\_\_\_\_

E-Mail Address: RRIMLINGER@YAHOO.COM

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Alison Ryffel

Address: 1730 Mira Mar Dr.

City: Balboa Zip: 92661

Home Phone: 949 6733603 Cell Phone: \_\_\_\_\_

E-Mail Address: alisonryffel@yahoo

Question / Comments: al Ryffel



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: \_\_\_\_\_

DAIG RYFFEL

Address: \_\_\_\_\_

1730 MARIANA

City: \_\_\_\_\_

NB CA

Zip: \_\_\_\_\_

92661

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name:

Ryan Johnson

Address:

1935 Sherington Pl # F104

City:

N.B.

Zip:

92663

Home Phone:

Cell Phone:

949-274-5633

E-Mail Address:

RyanJohnson\_cp@hotmail.com

Question / Comments:

You better be able to watch sports from  
the new arrangements! - RJ Do It!

Ryan Johnson 2/17/11



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef
- Better be able to watch sports

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: JOHN CHRISTENSEN

Address: 6310 W. COAST HWY

City: NEWPORT BEACH, CA 92663 Zip:

Home Phone: (949) 933-9858 Cell Phone:

E-Mail Address: JCHRIS44@MSN.COM

Question / Comments:





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: \_\_\_\_\_

*Gregory Priner*

Address: \_\_\_\_\_

*315 Laurel*

City: \_\_\_\_\_

*NR*

Zip: \_\_\_\_\_

*92667*

Home Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

*[Signature]*

Question / Comments: \_\_\_\_\_

*I Support Malarky's  
improvement and expansion by  
the responsible multi-restaurant  
experienced operator*



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Kirsten Schmieder

Address: 217 1/2 29th St.

City: Newport Beach, CA Zip: 92663

Home Phone: 949 675-7217 Cell Phone: 949 903 2833

E-Mail Address: Krschmieder@gmail.com

Question / Comments: Love the outdoor expansion idea!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Scott Roth

Address: 217 1/2 29th St

City: Newport Beach CA Zip: 92663

Home Phone: 949.675.7217 Cell Phone: \_\_\_\_\_

E-Mail Address: Scott@949-loner.com

Question / Comments: I have been coming to  
Bar Malarky's for over 26 years and  
have never had a problem with the crowd.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Elizabeth Wiley

Address: 409 Colton Street

City: Newport Beach, CA Zip: 92663

Home Phone: 91642-8862 Cell Phone: 91280-8184

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Matt Wiley

Address: 409 Colfax Dr

City: Newport Beach CA Zip: 92663

Home Phone: 949-642-6862 Cell Phone: 949-903-2062

E-Mail Address: matt@mattwiley.net

Question / Comments: Great enhancement for A  
Newport Inn & Mark!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Frank Kosi

Address: 2824 Newport Blvd

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: Frank@EmeraldBayCo.COM

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: George Bogan [Signature]

Address: 2200 Park Newport

City: Newport Beach Zip: 92660

Home Phone: 949 759-1727 Cell Phone: \_\_\_\_\_

E-Mail Address: george.bogan@hotmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Tyler Hendley

Address: 209 32nd

City: NB Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: tyhoyto3@gmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: ROBERT & SHIRLEY HERNANDEZ

Address: 303 33RD ST.

City: NEWPORT BEACH Zip: 92663

Home Phone: (818) 366-7852 Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Candace Tyler

Address: 312 Catalina

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 949 633 0807

E-Mail Address: candysurfs@aol.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Elliot Laurance

Address: 3004 Cliff Drive

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: 949-293-2354

E-Mail Address: elliottlaurance@yahoo.com

Question / Comments: I definitely recommend this change!

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Melinda Simensen

Address: 2888 Bayshore Dr #C-14

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: mmSimensen@Stocglobal.net

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Bill Czarnecki

Address: 2888 Bayshore Dr #C-14

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: mm Simensen @ sbcglobal.net

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Hayley Heck

Address: 201 Via Ravenna

City: Newport Beach CA Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: (949) 466-1142

E-Mail Address: \_\_\_\_\_

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

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# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name:

Kelly Hardwick

Address:

217 33<sup>rd</sup>

City:

Newport Beach

Zip:

92663

Home Phone:

Cell Phone:

562 522-6082

E-Mail Address:

Hardwickkelly@gmail.com

Question / Comments:

DO IT!! AS.A.S.



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Kendall Booth

Address: 217 33rd street

City: Newport Beach Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: Kendall\_Booth@hotmail.com

Question / Comments: I cant wait !!! ☺





# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: CINDY FARNEY

Address: 1732 ORCHARD DRIVE

City: NEWPORT BEACH, CA Zip: 92660

Home Phone: N/A Cell Phone: 949.922.5876

E-Mail Address: cindyfarneyrealestate@gmail.com

Question / Comments: I support this as long as you don't lose the quaint pub charm that "Cheers" feel that Malarky's has given us for so many years...and the great food, drinks and most important not overpriced! There's enough high end places in Newport!!



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Michael Fargo

Address: 207 1/2 39th st.

City: Newport Beach CA, Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: (808)-282-617;

E-Mail Address: fargo.michael@gmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Drew Peterson

Address: 207 34th St

City: Newport Beach Zip: 92663

Home Phone: 714-585-7221 Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: Support it

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Steve Patrick SE Patrick

Address: 3601 Balboa Blvd

City: NB Zip: 92663

Home Phone: 951.823.2113 Cell Phone: Same

E-Mail Address: SteveSkus@hotmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: BRYAN BOWMER

Address: 36th St.

City: NEWPORT BEACH Zip: 92663

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Question / Comments: UPGRADE !!

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Aaron Edmunds

Address: 1700 Westcliff Drive

City: Newport Beach Zip: 92660

Home Phone: \_\_\_\_\_ Cell Phone: 714) 501 8069

E-Mail Address: surfcityca@hotmail.com

Question / Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: WILLIAM L. EBELING

Address: 124 31<sup>st</sup>

City: N. B. Zip: 92663

Home Phone: 949-548-2343 Cell Phone: 949-292-2343

E-Mail Address: ~~EBELING~~ EBELING1108@AOL.COM

Question / Comments: GOOD IDEA, GREAT FOOD, ENHANCE  
THE NEIGHBORHOOD



# PETITION

I support Malarky's proposal for an interior re-model/expansion and outdoor dining patio. The proposal will include:

- Upgraded distressed wood interior with new dining booths and exterior with new signs, awnings and entry canopy
- Help dress up Balboa Peninsula image
- Brand new and enlarged ADA compliant restrooms
- Enhanced menu and Executive Chef

For these reasons, and others I respectfully request that the city approve Malarky's proposal.

Name: Cory Booth

Address: 217 33<sup>RD</sup> Street

City: Newport Beach, Ca Zip: 92663

Home Phone: (949) 278-1221 Cell Phone: (949) 278-1221

E-Mail Address: reachcdb@hotmail.com

Question / Comments: I believe a patio extension to Malarky's would be not only a improvement the the restaurant but to the city of Newport Beach as well.



# **Planning Commission Meeting**

Thursday March 3<sup>rd</sup>, 2011 @ 6:30 p.m.

**Malarky's Irish Pub**

**Project File No: PA2010-172**

**Activity No: UP2010-039 & CS2001-002**

# NEWPORT BEACH – DISTRICT 15 OVER CONCENTRATION OF ABC LICENSES

1. Blue Boat
2. Caffè Il Forno
3. Sakee Sushi
4. Archies Restaurant (Closed)
5. Perry's Pizza
6. The Dock
7. Canary
8. Bluewater Grill
9. Buddha's Favorite
10. Paradise Charters
11. Charlie's Chili
12. Sol Grill
13. Baja Sherkeez
14. The District Cocktail Lounge
15. Newport Pier Liquor
16. Newport Pier Grill & Sushi
17. The Old Spaghetti Factory
18. Crab Cooker
19. Woody's Wharf
20. Ten Waterfront Restaurant
21. Cassidy's Bar & Grill
22. Sportsman Liquor
23. El Ranchito
24. Matahari Café
25. Newport Beach Brewing Co.
26. Malarkey's Irish Pub
27. Original Mama D's Italian Kitchen
28. Rudy's Pub & Grill
29. Ho Sum Bistro
30. Pescadou Bistro
31. Camitas La Villa
32. Orca Yacht Charters
33. Las Fajitas
34. Lido Shipyard Sausage Company
35. Lido Merchant
36. Sejour
37. Regatta Café
38. Z Pizza
39. Vons
40. Woody's Diner
41. Majestic – Pacific Avalon Yacht Charters
42. California Beach Restaurant
43. Elks Lodge
44. Royal Princess – Pacific Avalon Yacht Charters
45. White Light
46. Le Bistro
47. Island Girl V – Pacific Avalon Yacht Charters
48. Eternity – Electra Cruises
49. Athena – Finest City Yacht Charters
50. Destiny – Electra Cruises
51. Ambassador – Pacific Avalon Yacht Charters
52. Electra – Electra Cruises
53. Newport Princess
54. Le Bistro Café
55. The Lido Deck
56. Bayfront Café & Restaurant
57. Blanca
58. 7-Eleven
59. Original Pizza
60. Picante Grill
61. Aurora
62. Albertsons (Closed)
63. The Beach Ball
64. Blackies By The Sea
65. 21 Oceanfront Restaurant
66. Rockin' Baja
67. El Gelato Caffè
68. Henry's Grocery
69. Mutt Lynchs
70. The Newport Beachwalk Hotel
71. Re Nato Restaurants
72. Chipotle (Pending)
73. Gina's Pizza (Pending)
74. Crow Burger (Pending)

## Active Licenses - California Department of Alcoholic Beverage Control for the City of Newport Beach District 15 Report as of 10/15/2010

- License Type 47, 48 (on-sale, spirits, beer & wine)
- License Type 40, 41, 42 (on-sale, beer & wine)
- License Type 20, 21 (off-sale, general (spirits), beer & wine)
- License Type 51, 54 (on-sale, general (spirits), beer & wine, boats, club)

Approx. 770 ft

Data SIO, NOAA, U.S. Navy, NGA, GEBCO  
© 2010 Google

Image © 2010 TerraMetrics

THIS INFORMATION HAS BEEN SECURED FROM SOURCES WE BELIEVE TO BE RELIABLE, BUT WE MAKE NO REPRESENTATION OR WARRANTIES, EXPRESS OR IMPLIED, AS TO THE ACCURACY OF THE INFORMATION.

Google





- 2/26/2011 - Winter Pub Crawl which I was told had 300+ people involved going from bar to bar. 30th Street residents got to clean up after 3 people vomited on our side-walk and street. Malarky's cue-line at approximately 4PM for this event.

Neighborhood Area: 15  
Last Updated: 2/28/2011 10:20:01 AM

No. Days  [Go To Map](#) [Update Now](#)

Date/Time ▼	Event No.	Event Type	Location	Disposition
02/28/2011 2:23AM	110590022	PHYSICAL FIGHT	100 BLOCK MC FADDEN PL	CODE 4
02/28/2011 12:00AM	110590001	DISTURBANCE-PARTY	2800 BLOCK OCEAN FRONT W	ADVISED/COMPLIED
02/27/2011 11:46PM	110580221	PATROL CHECK	2600 BLOCK NEWPORT BLVD	PATROL CHECK REQUESTED
02/27/2011 11:11PM	110580214	DISTURBANCE MUSIC	2600 BLOCK NEWPORT BLVD	UNFOUNDED
02/27/2011 6:08PM	110580165	SUBJECT STOP	VIA LIDO / NEWPORT BLVD	CITED
02/27/2011 2:08PM	110580126	DISTURBANCE MUSIC	100 BLOCK 30TH ST	ADVISED/COMPLIED
02/27/2011 1:35PM	110580119	ILLEGAL PARKING	2800 BLOCK OCEAN FRONT W	GONE ON ARRIVAL
02/27/2011 1:15PM	110580118	DRIVEWAY BLOCK	2700 BLOCK OCEAN FRONT W	GONE ON ARRIVAL
02/27/2011 11:28AM	110580101	VEHICLE STOP	MC FADDEN PL / OCEAN FRONT W	ADVISED/COMPLIED
02/27/2011 9:44AM	110580081	MEDICAL AID	400 BLOCK CLUBHOUSE AVE	REPORT TAKEN
02/27/2011 9:31AM	110580078	DISTURBANCE	2300 BLOCK OCEAN FRONT W	GONE ON ARRIVAL
02/27/2011 9:22AM	110580075	ALLEY BLOCK	200 BLOCK 34TH ST	CITED
02/27/2011 8:13AM	110580066	INJURED ANIMAL	23RD ST / BEACH	ACO PICKUP
02/27/2011 2:36AM	110580039	DISTURBANCE MUSIC	100 BLOCK 24TH ST	ADVISED/COMPLIED
02/27/2011 2:26AM	110580037	ARREST	3000 BLOCK NEWPORT BLVD	ARREST
02/27/2011 2:01AM	110580033	DISTURBANCE	2600 BLOCK NEWPORT BLVD	ASSISTED
02/27/2011 1:50AM	110580031	PHYSICAL FIGHT	3000 BLOCK NEWPORT BLVD	CODE 4
02/27/2011 1:46AM	110580030	HIT & RUN MISD JUST OCC	3000 BLOCK NEWPORT BLVD	ARREST
02/27/2011 1:42AM	110580029	DRUNK IN PUBLIC	100 BLOCK 25TH ST	GONE ON ARRIVAL
02/27/2011 12:59AM	110580020	DISTURBANCE-PARTY	100 BLOCK 35TH ST	ADVISED/COMPLIED
02/27/2011 12:21AM	110580006	DISTURBANCE MUSIC	500 BLOCK 35TH ST	ADVISED/COMPLIED
02/26/2011 11:58PM	110570191	VEHICLE STOP	32ND ST / SEASHORE DR	ADVISED/COMPLIED
02/26/2011 11:38PM	110570187	SUBJECT STOP	2200 BLOCK NEWPORT BLVD	CITED
02/26/2011 11:34PM	110570186	VEHICLE STOP	32ND ST / NEWPORT BLVD	ADVISED/COMPLIED
02/26/2011 11:25PM	110570183	DISTURBANCE MUSIC	500 BLOCK 35TH ST	ADVISED/COMPLIED
02/26/2011 11:06PM	110570180	DISTURBANCE-PARTY	100 BLOCK 37TH ST	ADVISED/COMPLIED
02/26/2011 9:37PM	110570159	VEHICLE STOP	22ND ST / BALBOA BLVD W	CITED
02/26/2011 9:16PM	110570157	DISTURBANCE MUSIC	2600 BLOCK NEWPORT BLVD	UNFOUNDED
02/26/2011 8:46PM	110570150	VEHICLE STOP	FINLEY AVE / NEWPORT BLVD	ADVISED/COMPLIED
02/26/2011 8:35PM	110570148	RED ZONE VIOLATION	100 BLOCK 33RD ST	CITED
02/26/2011 8:09PM	110570145	WATER/SEWER PROBLEM	200 BLOCK 30TH ST	MESSAGE DELIVERED
02/26/2011 7:48PM	110570138	MEDICAL AID	BALBOA BLVD W / 23RD ST	ASSISTED
02/26/2011 4:30PM	110570119	CITIZEN/AGENCY ASSIST	NB NEWPORT BLVD / 28TH ST	ASSISTED
02/26/2011 3:44PM	110570111	RED ZONE VIOLATION	25TH ST / BEACH	MOVED BY OWNER
02/26/2011 2:27PM	110570103	MEDICAL AID	2700 BLOCK NEWPORT BLVD	HANDLED AT STATION
02/26/2011 12:11PM	110570084	DRIVEWAY BLOCK	200 BLOCK 32ND ST	GONE ON ARRIVAL
02/26/2011 11:20AM	110570078	WELFARE CHECK	2800 BLOCK NEWPORT BLVD	CODE 4

- Police calls for service reflecting hit and run fight and arrest for 2/27/2011 illustrated in the following slides.





- 2/27/2011 - Malarky's apparently had a fight in front of the property at approximately 1:50AM according to police. Photos show a PD SUV facing on-coming traffic in front of Malarky's.



- 2/27/2011 - DUI hit & run- 1:46AM- A Malarky's patron slammed into a parked car in Malarky's parking lot pushing it side-ways into the planter and wall. This individual then proceeded to flee and drive up 30th Street. I was told that this individual was later arrested.





- 2/27/2011 – 1:46AM - Additional police units that had to respond to the fight and hit and run. At least 4-5 police units responded to this incident.



- 2/27/2011 - 2:26AM - As I was talking to one of the officers when we both watch a intoxicated individual stumble across the intersection at 30th & Newport Blvd. Officers proceeded to arrest him.

 : Protects suspect's identity.





- 1/9/2011 – 1:12AM, 30<sup>th</sup> Street - Residents of 30th had an intoxicated individual male at 12:50 AM throw a metal “For-Sale” sign into a parked car. He then proceeded to kick-in the front gate of the property and tried to break into the vacant condo and then proceeded to try to break into the occupied condo next door. He was detained by the residents and arrested.



- Often times on Saturday and Sunday mornings, residents awake to find that patrons that have frequented the bars are blocking residents' driveways. Vehicles are often cited and towed.

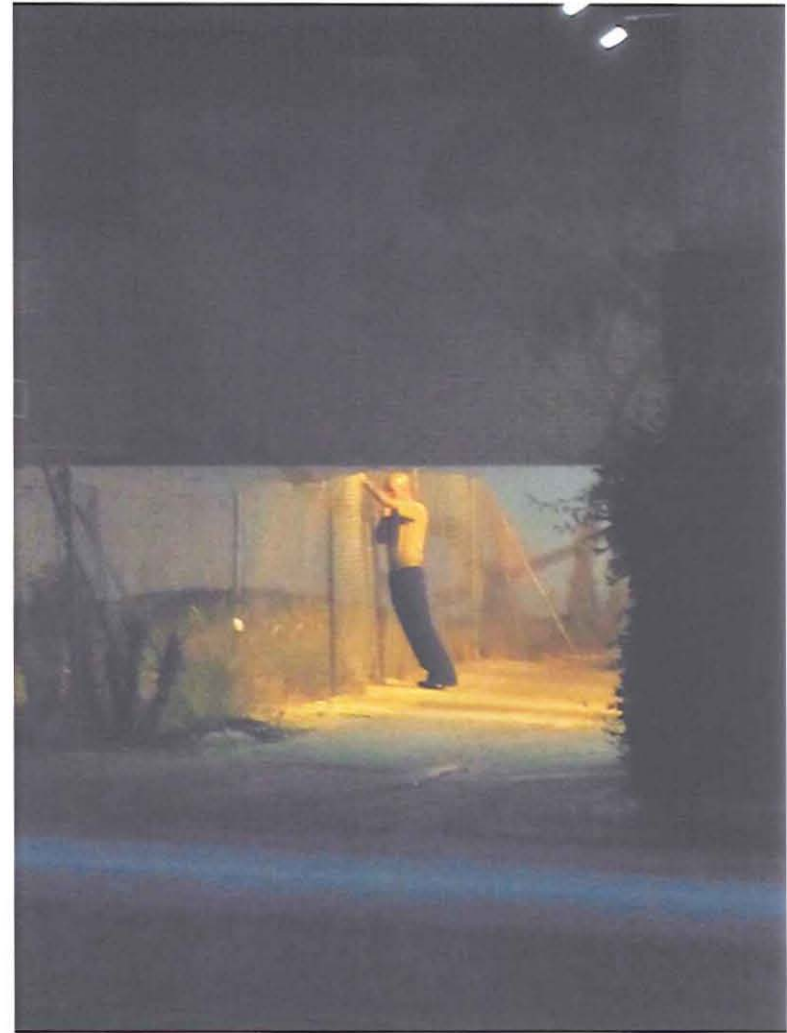




- Often residents get to start their weekends cleaning up vomit, broken bottles, under garments, and even condoms on the streets, sidewalks and even their front porches. Also, side-view mirrors of parked cars have been kicked in.



- 2/18/2011 – 11:30PM – More police presence at Malarky's parking lot. Believed to be an intoxicated individual or a drunk driver.

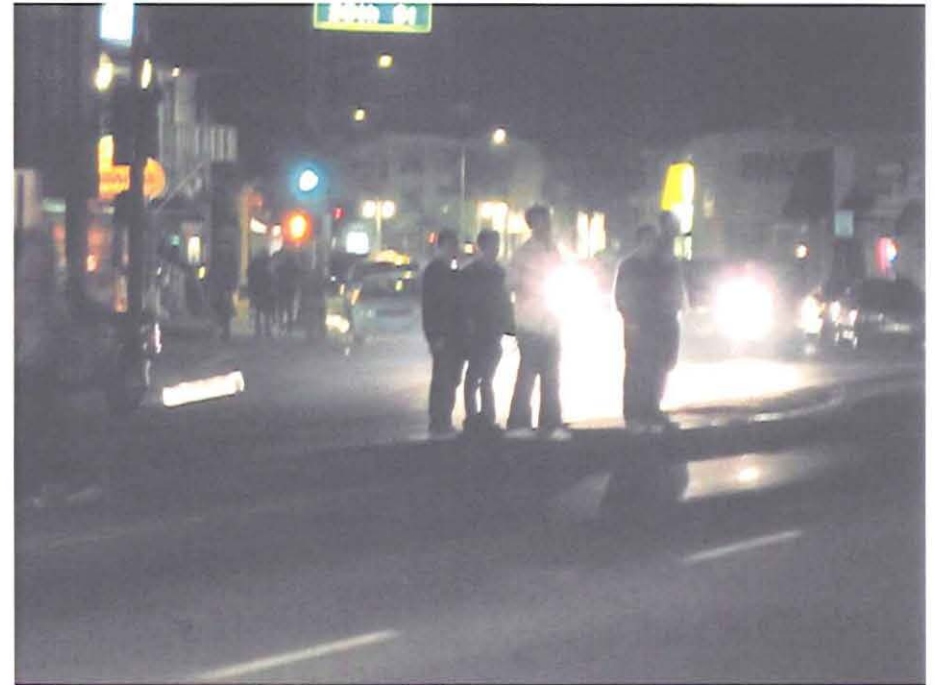


- Individual urinating on Malarky's side door before construction of the new parking lot.
- Intoxicated individual vomiting and holding on to the fence for balance adjacent to Malarky's.





- Groups of people running across the Newport Boulevard going to and from Malarky's. This is a constant occurrence and creates traffic obstructions/safety issues.



- More photos of people running across the street. Taxi cab had to stop in the middle of the street in order not to hit the pedestrians.



- More individuals urinating in Malarky's new parking lot.





- 2 individuals urinating on the bamboo plants in Malarky's new parking lot.



- Individuals trying to climb up the metal drain line on the building directly across the street from Malarky's.



- Individual urinating into a trash barrel located in Malarky's parking lot.





- Cue line crowds blocking sidewalk in front of Malarky's.



[HOME](#) [CHECKLIST](#) [MAKEUP TIPS](#)

## Saturday October 30th - 2:00pm at Malarky's parking lot

Meet at 2:00am at Malarky's parking lot to put the finishing touches on the zombie costumes, practice your moans, and gather the horde to march to the first bar!

Time	Bar	Specials
2:00pm	Malarky's Parking Lot	Free Zombie Hair & Makeup by Marinello Schools of Beauty \$5 Lunch Specials, \$3 Bud & Coors Light, \$4 Stella, Blue Moon & Sam Adams Octoberfest, \$3 Zombie Shots
4:00pm	Blue Beet	\$4 Zombie Shots, \$3 Bud Light
5:30pm	Sharkeyz	Free Appetizer Sampler, Drink Special
7pm	The District	Costume contest and DJs \$4 Red Death Shots

**DRESS LIKE ZOMBIE. BUY WRISTBAND** (Drink Specials at all bars, automatic entry in raffle contest, and Free Entry to Undead DJ Party at The District)

Wristbands can be purchased presale online for \$8 and picked up at the Malarky's parking lot from 2:00 - 5:30pm. After 5:30 wristbands are available at The District.

**PURCHASE WRISTBAND AT THE EVENT!** \$8 presale INCLUDES DRINK SPECIALS, FREE ENTRIES, CASH ONLY.

Tickets available at Malarky's! See you today, the horde marches... The zombie march is open to all ages. ID is required to drink at all venues.

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